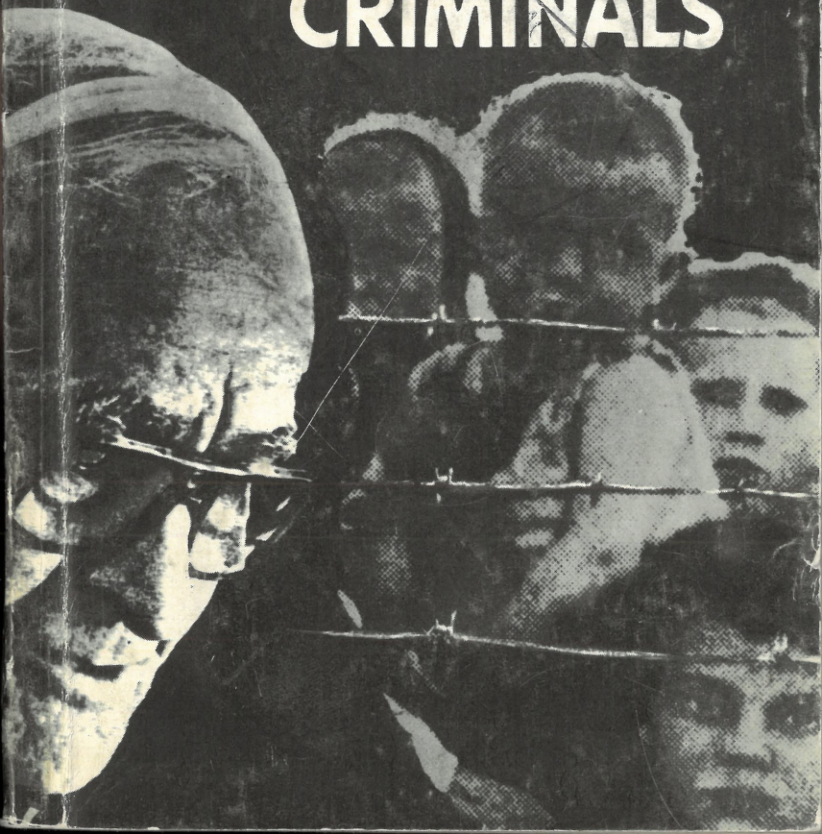
NO STATUTE OF LIMITATIONS FOR WAR CRIMINALS



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NO STATUTE OF LIMITATIONS FOR WAR CRIMINALS

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The book deals with the legal aspects of the Nazi criminals' amenability and commitments of the states to extradite them to those countries where they had perpetrated their crimes. Making a broad use of indisputable facts, the authors demonstrate the evil deeds of the Nazi henchmen from among Ukrainian nationalists, prove the validity of calling them to account in accordance with existing International Law.

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IN LIEU OF AN INTRODUCTION

More than 40 years have passed since the end of the bloodiest, most terrible of wars in the world's history. In this war the forces of evil, personified by fascism, committed more atrocities tnan mankind had endured throughout its existence. The designs and terrible crimes of Hitlerite fascism and militarism, which turned the state into a weapon of its crimes, were unprecedented.

After the Nazis came to power in 1933 mankind witnessed the trampling of international treaties and the treacherous violation of pledges. It saw how entire nations were doomed to extermination in Nazi death camps upon the orders of the fascist ringleaders, how human values, such as freedom, dignity and the right to life were shattered.

The Hitlerite butchers created a whole strúcture for the annihilation of millions of persons. They enlisted the service of different profascist riffraff on the territory of countries occupied by the German-fascist invaders to carry out their criminal deeds. Many of the henchmen were paid agents of the German special services, others emerged on the road of crime for the sake of earning several cigarettes or a bowl of

soup. The Judas traitors got different "thirty pieces of silver".

But their hour of reckoning struck in 1945. The Nuremberg Trial over top Nazi war criminals became an act of the highest justice and retribution.

In the years after the war the USSR has been fulfilling its international obligations registered in a number of documents of the anti-Hitler coalition states and the United Nations Organization dealing with the search for, arrest, extradition and punishment of persons guilty of war crimes and crimes against mankind. The Hitlerite butchers and their accomplices, hiding on the territory of the USSR, have been tried and sentenced.

But not all the murderers have answered for their crimes. Many of them have found shelter in Western countries, some concealing their criminal past, others enjoying the patronage of politicians and special services interested in their escape.

War criminals are being harbored even today in the USA, Canada, Great Britain, and the FRG. They have been sarcastically called "quiet neighbors" by the former Director of the War Criminals Division of US Department of Justice A. Ryan. Thousands of those whose hands are covered with the blood of children, women and old men, tortured in concentration camps, hung and suffocated in gas chambers, are hiding under the "quiet neighbor" mask in many countries of the West.

This book tells only about some of the crimes committed in times of severe trials by those who entered the service of Nazi masters. Eyewi-

tnesses of their criminal deeds are still alive, the wounds of war are still bleeding, people are still disturbed by terrible nightmares. There never was and never can be forgiveness for the Nazi war criminals. The joint commitments of the anti-Hitler coalition countries, the USSR, the USA, Great Britain and others, to find these butchers even at the ends of the Earth, and bring them to court, demand that they be punished. The extradition and punishment are demanded by human conscience and International Law, the interests of the security of nations in the future.

MONSTROUS CRIMES

Ideological Roots of Fascism

World War II, unleashed by the fascists, took a toll of more than 50,000,000 human lives. The nations of Europe alone suffered more than twice as many losses in this war than in all the wars waged in the preceding 350 years. 28,000,000 persons remained invalids. The Soviet Union bore the brunt of the losses in comparison with the other countries affected by the aggression. 20,000,000 Soviet citizens, including 6,000,000 civilians perished. Almost every family lost near and dear ones.

The German-fascist invasion was accompanied by heinous crimes, the depopulation of occupied territories, plunder and violence, the establishment of a regime of total arbitrariness and tyranny based on the violation of the

elementary principles of humanity. Crimes became the everyday thing for the rulers of Nazi Germany, its officials and servicemen. Millions of people were tortured in prisons, concentration camps, and during terroristic raids.

The extreme cruelty, cynicism and cold-blooded crimes of the Hitlerite butchers have no analogy in history. Nations will never forget the horrifying picture of the fascist hell: childen in nightshirts, half-naked women, men in underwear standing rigid before long rows of graves into which they tumbled cut down by machine-gun fire of the SS Sondercommando; people being locked up in barns, houses and burned alive; the bodies of people who had died of hunger piled one on top of the other like logs; mobile gas-chambers, specially equipped automobiles for poisoning people; the huge stoves of crematories and dismal chimneys of death factories where millions of people burned into ashes; concentration camp barracks crammed full of the clothing and footwear of the tortured victims, and among these piles tiny children's shoes and even dolls which the tiny tots played with right up to their last minute.

Criminal No. 1 of these monstrous crimes is fascism, an open terroristic dictatorship of the most reactionary and aggressive forces of monopolistic capitalism. Fascism is the use of the most extreme forms of violence for suppressing the working class and all working people, militant chauvinism, racism, anticommunism, it is also maximum control over all manifestations of public and private life of citizens, and finally, it is a policy of impertinent imperialistic seizures and flagrant brigandage.

Well-known Soviet writer and poet Konstantin Simonov, speaking at a meeting in San Francisco, USA, in May, 1946 said that fascism is a hatred of mankind. Fascism is a contempt of other nations. Fascism is a cult of brute force. Fascism is a humiliation of human dignity. Fascism is an ideology which makes it possible for one man to enslave another. In this short, but extremely weighty definition, we can see the very essence, the nature of the most abominable sociopolitical phenomenon of the 20th century.

Characteristic of fascism in the sphere of foreign policy extreme aggressiveness, a policy of unleashing predatory wars, an aspiration for world supremacy, perfidious violation of obligations, open and cynical infringement of the norms of International Law, gangsterism, terrorism, provocation, forgery and blackmail were raised to the level of state policy.

On the basis of the most preposterous prejudices and obscurant ideas a racist theory was developed. According to this theory Germans were given the chosen role of "supreme race" and conqueror of all other nations. In realizing this theory the Nazi state established a comprehensive system of racial terror. Developed and put into practice were misanthropic plans for enslaving and exterminating "inferior" nations.

The reason for the emergence of fascism should be sought first and foremost in the conditions of the general crisis of capitalism which began after World War I when a threat arose to the existence of capitalist relations on the part of the organized workers' movement. Fearing to loose its power and privileges monopolistic bourgeoisie prepared to support all dark

forces, to join them and resort to all kinds of crimes. Fascism is that very reactionary, most criminal force to which the powers that be used in order to defend their positions.

The first fascist organization on the political scene in Europe appeared in 1919 in Italy where it soon seized power. The fascist Hitlerite party was organized in Germany also in 1919. For demagogical aims it adopted the name National Socialist Party (from here, Nazis). This name was needed by the Hitlerites to deceive the German people, to disguise their true face under the flag of nationalism and socialism.

January 30, 1933 is an infamous date in the history of Germany and of entire mankind. On that day the fascists came to power in Germany with the support of the magnates and top military brass. It was here, in the very center of the European continent, that fascism gained its most accomplished form. It was from here that fascism purposefully undertook an attempt to destroy entire nations and enslave Europe.

The rich bourgeoisie and cadet officers viewed militant fascism as an antipode of the organized workers' movement, as a reliable guarantee of warding off a socialist revolution in Germany, and, at the same time, as a force capable of ensuring preparation and successful waging of expansionist wars. These circles played their role in the confirmation of fascism, in all ways indulged Hitler, pushed him on to make war against the world's first socialist state.

The fascist state was the most barbaric type of tyranny. It was characterized by the complete concentration of state power in the hands

of the fascist leaders, the centralization and militarization of the state apparatus. All democratic rights and freedoms were either renounced or nullified, a policy of merciless suppression was waged in relation to all progressive elements, and especially relentlessly was this policy carried out against the advanced revolutionary working class organizations. The word Führer (leader) became the highest legislature, a manifestation allegedly of genuine national German spirit. The führer doctrine demanded of the people implicit obedience.

An important part of the Nazi ideology was the racial theory, according to which there existed higher and lower races. The German nation, naturally, belonged to the representatives of the best human physical and spiritual qualities. It was the top strata of the Aryan-Nordic race, in whose veins allegedly flowed "exceptional blood," determining the "genuine course of the life" of the nation. Jews, according to Hitler's terminology were "barbarians," a race hopelessly spoiled and continuing to poison other viable races. The French were a "perishing" nation, the Slavs — a "lower" race, and the USA — a devil's racial pot, and so on.

All of the fascist bosses did not have any scientific grounds to back this up. It is remarkable that the Nazis themselves could not name a concrete objective criteria of racial superiority and reduced everything to "originality" of physiological and psychological constitutions of people. But there are no characteristic "inborn" psychological differences in the representatives of various races and nations. In the final count, all people, in general and in particular, are on

one level of morphological and physiological development. The mystic pseudoscientific racial theory was called upon to clear the path for the Hitlerites to enslave other nations and eliminate their statehood, to annihilate or enslave hundreds of millions of workers, farmers and intellectuals.

An inalienable element of the fascist racial theory was the most unbridled, the most extreme anti-Semitism, which did not recognize any solution to the "Jewish question," save for the mass extermination of all Jews. The Nazi leaders strived to ignite a hatred toward the Jews, proclaimed them guilty of Germany's defeat in 1918, of economic hardships, of having a "corrupt" influence on German culture, and so on. With the coming to power of Hitler there began a systematic cruel persecution of Jews and other "enemies of the state" in Germany. Jews were dismissed from state, scientific, cultural and public establishments, deprived of German citizenship, thrown in prison and concentration camps. The summit of the terror against the Jews falls on the years of World War II. In Berlin, on Tross-Wanzee, the Hitlerite leadership on January 20, 1942 adopted a plan envisaging the "final solution of the Jewish question." In reality this meant the mass extermination of Jews in concentration camps of the occupied countries. 6,000,000 persons of Jewish nationality became victims of Nazi terror in Europe.

The racial theory, reactionary nationalism and pan-German chauvinism became the "theoretical" basis of the cult of violence and apology of war. The fascist ideologists importunately

asserted that war is inevitable and necessary, that it is the loftiest goal and essence of the life of the nation, a means for cleaning the nation of all types of filth and for its "unification." In a war with an "enemy" there should be no pity, no mercy. "The utmost cruelty is needed," called out Hitler.* "Who can question my right to destroy millions of people of the lower race?" asked the Nazi führer. "20,000,000 million people have to be eliminated..." "The future war," he continued, "will be terrible, bloody and cruel. But a war which will be extremely cruel, a war which will not differentiate between soldiers and civilians, will also be a most pleasant war. I want war, and all means are good enough for me. This war will be waged my style, I am war!"

The Hitlerite ideology was elaborated with a purpose taking into account the psychology of certain social groups, reckoning on the most brazen exploitation of base instincts and deep rooted superstition in the minds of a notable part of the population. Appealing to the myth on the "superiority" of the Aryan race, on the conformity of domination over other "second-rate" nations and the "justification" of becoming rich at their expense, demanding the "cleanliness" of the German "national community" itself from "harmful admixtures," the fascists with the help of a powerful propaganda machine were able to impose upon many the feeling of nationalist hostility, eminence, contempt for the elementary principles of human

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* The Nuremberg Trial, M., 1957, in 7 vol., v. 1, p. 631.

society and morality. The thought was embedded in the conscience of the masses that in the name of the "interests" of the nation all means of struggle are permitted, and that there will be nothing to answer for. In order to realize its aggressive criminal plans fascism needed possessed by hatred, thoughtless and cruel henchmen.

Criminal Plans

Having come to power Hitler mapped out the basic policy line of the struggle for world supremacy. Prior to the unleashing of the major military operations he invaded Austria (March, 1939), and Czechoslovakia (March, 1939). The first period of the war (September 1, 1939 — June 21, 1941) brought Germany speedy victories. No force could be found in the capitalist world that could stop the German-fascist army. Twelve countries of Europe were either fully or partially occupied, including Poland, Belgium, the Netherlands, Greece, Denmark, Norway, France and Yugoslavia. When the fascist state had grown immensely rich, expanded and turned into a mighty force, Hitler decided that the time had come to attack the USSR and begin the "development" of its territory.

The most complete and generalized program for the "development of Eastern lands" was spelled out in the so-called General Plan OST which envisaged the destruction or eviction of millions of Soviet citizens to the far-off eastern regions, to other countries in order to colonize the occupied territories. For instance, it was recommended to "get rid of" 65 % of the Ukrai-

nians in Ukraine, and 75 % of the Byelorussians in Byelorussia. The remaining persons were to be "germanized." The OST Plan in the final end envisaged the physical destruction of 120—140 million people on the territory of Poland and the USSR, and gradually settling of the released vastness by German colonizers.

The enslavement of the nations of Eastern Europe, as planned by the Nazis, was only one stage on their path to "germanize" the whole of Europe. Hitler hoped to establish a thousand-year Reich which was to cover a gigantic area from the Arctic Ocean to the Mediterranean Sea, from the shores of the Atlantic to the Urals. If Hitler could have realized his plans then millions of citizens of Eastern Europe would have been annihilated, everything honest, bold and progressive developed by world civilization would have gone up in smoke through the chimneys of crematoriums. This did not happen. The Soviet people, their armed forces, which bore the brunt of the war, as well as the anti-Hitler coalition countries, destroyed Hitlerite fascism.

Continual dripping wears away a stone, sand fills up ditches and time heals wounds. But the Soviet people will always remember the day of June 22, 1941 which began the count of the first victims of fascism, on their land, and the severe trials began. Hitler believed that with his powerful hardware and army drilled to the stage of fanaticism, and huge economic potential, the war against the USSR would be a blitzkreig continuing from five weeks to several months. But the first months of fighting on the Soviet-German front already showed

that the blitzkreig was doomed to failure. Fascist Germany had come up against an inevitable protracted war. In the first months of the invasion the Hitlerites were able to occupy a large part of Soviet territory with big industrial centers. A terrible occupational regime was established here.

The ruling circles of Germany had earlier worked out instructions for realizing a punitive policy on occupied Soviet territories. A system of mass reprisals and unrestrained violence was to become part and parcel of that policy. A punitive operation organization was set up to act against the population of towns, villages and entire regions. Directives of the fascist authorities and orders of the Hitlerite Command foresaw the extermination of all persons "suspected" of hostility toward the occupants. The Hitlerites completely washed their hands of any responsibility for the brutal treatment of POWs and local population.

A regime, "the New Order," was established on the occupied territories. According to it, democratic institutions and civil rights of the population on the occupied territories were nullified. In reality that "order" meant complete lawlessness and arbitrariness, horrible outrages against human dignity, violent torture in order to receive various information, mass drive of the able-bodied population to Germany for slave labor. The taking of hostages from among the civilians and putting them to death for the "hostile actions" of their countrymen was a common practice.

Arrests and mass raids were continuous in

towns and villages, the peaceful population was systematically put to death. Almost 270,000 civilians in Kiev Region were killed and tortured in this way, 200,000 were murdered in Rovno Region, more than 250,000 in Ternopil Region, and almost 680,000 in Lviv and Drohobich regions.

These and other data about victims of the terror were obtained as a result of painstaking work by special state commissions which were set up to investigate the crimes of the German-fascist invaders. In particular, they studied captured documents, exhumed mass graves, and questioned eyewitnesses.

In September, 1941 Hitler issued a Directive which received the name "Nacht-und-Nebel-Erlass" according to which all persons who had carried out acts against Germany or the German troops on the occupied territories, except in cases when they had to be put to death immediately, were subjected to be secretly taken to Germany for punishment. In order to keep information from spreading nothing was to be said to their relatives and acquaintances in the country they had been taken from. Even those people suspected in resisting any undertaking of the occupational authorities also fell victim of that Directive.

One of the first mass crimes of the Nazis was the systematic and large-scale act of putting to death crippled children, incurable patients and people suffering from psychological ailments, the act "T-4." Under the pretext of "compassion" they were put to death in Germany in special "sanitariums," and later, on the occupied territories.

Here is one example.

Having captured the village of Strileche, Lipetsk district, Kharkiv Region, the fascists confiscated all the food stocks at the local mental hospital and put the patients on a hunger diet. When this method of putting the unfortunate to death turned out to be of little effect, they shot 434 patients, among them 254 women within two days, November 22—23, 1941. Facts such as this are plentiful.

Special mention should be made of the atrocities in relation to Soviet prisoners of war. The fate of many of them was tragic. The Hitlerites exterminated those Soviet soldiers and officers who were taken prisoner by different means and methods. They were killed after being taken prisoner or in their hospital bed, annihilated during the "rejection" and transportation to different POW camps, exhausted by back-breaking work and starvation, cold and disease, exterminated in gas chambers. If caught in an attempt to escape, they were shot ("Kugel" Directive). Prisoners of war were used as a "live screen" during military operations, for rendering safe mine fields, as guinea pigs in "medical experiments" and so on and so forth.

French, British, American, Canadian and other prisoners of war were also subjected to atrocities. Hitler and his henchmen viewed international treaties and agreements, including the Haague Convention of 1907, which called for the humane treatment of POWs, as useless scraps of paper. Fifty British Air Force officers who escaped from the concentration camp in Zagan where they were held prisoners, were shot in March, 1944 upon the direct orders of

Hitler.* The Directive signed by Hitler ordered that all members of the allied unit "commandos" should be "killed till the last man," even if they tried to give themselves up.*

Many of these atrocities were planned and worked out in detail long before the war. Hitler's Directive on the complete extermination of captured political instructors of the Soviet Army, security officers, Soviet intellectuals and Jewish servicemen, was officially communicated to the High Command and Wehrmacht chiefs of staff at a meeting on March 30, 1941, that is three months before the attack on the USSR. At the same time, instructions were issued to eliminate all women serving in the army who had been taken prisoner. The fascists were of the opinion that women who served in the regular army could not be "trusted."

A characteristic example of the inhuman treatment of women POWs is camp No. 1 in the town of Rovno. In January, 1943 the Nazis brought 867 women to this camp, medical personnel in the main. They were housed in an unheated and damp building meant for 150 persons. Their daily ration consisted of coffee made from a cereal grass and a bowl of hash made from rotten potatoes. The women were forced to do work that was much too strenuous for them. For the slightest lag in the tempo of work they were beaten mercilessly. Those who did not die from a bullet or bayonet, died of disease or hunger; some committed suicide.

The Nazi leadership understood that to "settle" Europe, and later, the entire world, it was

* Nuremberg Process (collection of materials in 3 vol.), M., 1966, p. 319—327.

necessary to set up broad network of terror machines. This part of the program was fulfilled by the Hitlerites. One of the basic components of fascist terror was the system of concentration camps. Prior to 1939, the Nazis had built six large concentration camps in Germany itself: Dachau, Sachsenhausen, Buchenwald, Flossenburg, Mauthausen and Ravensbruck. By 1942, another nine death camps had been built on the territories of the occupied countries. The most terrible of them were Majdanek, Treblinka and Oswiecim. Inmates were brought here from all the occupied countries of Europe. After torturing the prisoners they were exterminated by various methods: poisoned in gas chambers, shot, exhausted by back-breaking labour while being starved to death, and so on. More than 11,000,000 inmates of different nationalities were annihilated in this way.

Concentration camps were real death factories. At Oswiecim there were special gas chambers, crematories, 12 stoves, 46 large retorts in which from 3 to 5 bodies were placed and which burned in 20-30 minutes. Many of the inmates were subjected to vivisection, and after these experimental-tortures were killed. Some 4,000,000 persons were put to death in Oswiecim.

Spokesman of the Special State Commission on Determining and Investigating the crimes of the German-fascist invaders S. T. Kuzmin affirmed that in the Birkenau camp they found about 10,000 prisoners, emanciated, half dead human forms, mutilated by tortures, their eyes still containing the horror of the past. Among the prisoners were children. They looked like

wounded birds. This impression was underlined by their clothing, the sleeves of which were long, stripped and dirty, the soiled jackets hung from their tiny shoulders giving the impression of wounded wings. Their eyes were full of fright. Little old men.

"Large barns filled to the top with bails. What is this? From splits in the bails stuck out thick locks of hair. More and more... A beautiful blond braid. Thin children's plaits tied with a ribbon. This was a storehouse of women's hair. The Hitlerites cut them off the heads of their victims before exterminating them. A commission of experts later established that this was the hair of 140,000 women. What was all this hair for? Later, when secret directives of the SS Main Economic Administrative Department were found it became clear that the Hitlerites used women's hair for the manufacture of thick felt and yarn to knit socks for submariners and railwaymen.

"Even though we had the experience of carrying out investigations in Oswiecim, Lviv, Majdanek and other death camps that which we saw in Danzig (Gdansk) shocked us by its monstrous cynicism. In 1943 the Nazis constructed a building to house the 'Pharmacological Institute of the Medical Academy.' Here they organized the semi-industrial manufacture of soap from human bodies, and the tanning of human skin. Built here were chambers to store the bodies, vats and tubs for steeping and tanning of human skin, autoclaves for boiling off fat, and laboratory equipment. Reason refuses to believe that all this was discovered and established by man."

The criminal plot of the Nazis, who had tried to reverse the course of human history and establish their "New Order" was frustrated. The world was saved from fascist enslavement by the gigantic efforts of the USSR Armed Forces and those of its allies in the anti-Hitler Coalition. Nonetheless the monstrous crimes of the Nazis cannot be forgotten nor forgiven. Neither can we forgive the criminal acts of their myrmidons from among the Ukrainian bourgeois nationalists and other riffraff who during the hard times for the Soviet people voluntarily offered their services to the Hitlerites and left a trail of blood on our land. Who were they and what is their true face? That is what we tell you about further on in this book.

Bloody Trail of Hitlerites' Accomplices

Ukraine occupied a special place in the plans of the occupants. Their avid eyes were riveted to the fertile Ukrainian lands which Hitler planned to populate with German colonizers. The Nazi leaders intended to destroy the Ukraine as a state, and the Ukrainians as a nation. According to their plans a part of the population was to be enslaved, and the remainder annihilated, taken to Germany for slave labor or exiled to Siberia, thus vacating "living space" for the "master race."

As soon as the Hitlerite hordes invaded Ukraine, the realization of these heinous plans began. Attempting to lessen the strength and will of the people to resist and to force them to renounce the struggle against their oppres-

sors, the Nazis tore the Ukrainian lands apart by artificial frontiers. They gave the southern regions to their satellite, the Romanian fascist-dictator Ion Antonescue, Transcarpathia to their ally — Horthy Hungary, part of the western regions were joined to the so-called General-gouvernement which was set up on the territory of occupied Poland, a Reichskommissariat with its center in Rovno was formed of several central and western regions. The Eastern part of Ukraine was proclaimed a "military zone," and was put under the command of the military and cut off from the Reichskommissariat by a special frontier. The frontier guards shot at any person crossing this border at unauthorized spots.

The fascist "machine" for the extermination of people was put into full operation in the first days of occupation. Special death camps were set up, thousands of peaceful citizens were rounded up in ghettos, mass killings often took place right on the streets and squares of cities, on the outskirts of villages. Many villages were razed to the ground and their residents either burned alive or shot. There was not a single settlement in Ukraine where peaceful citizens were not put to death. People in great numbers were annihilated in Kiev, Kharkiv, Rovno, Poltava, Vinnitsya, Lviv, Zhitomir, Kamyanetsk-Podilsky, Zaporizhya, and in thousands of other cities and villages.

The extermination of the Ukraine's population was not only realized with the aid of bullets, gallows and gas chambers. The Hitlerites tried to kill our people off by starving them. They confiscated all the foodstuffs from the

cities and villages which caused mass death among the population. As a result of this Nazi food policy the population of occupied Kiev received only 200 grams of bread per week in December, 1941, and nothing else! Such was the state of affairs in other cities, too.

The occupants sent one train load after another of the able-bodied population, especially the youth, to slave labor in Germany. They organized in this connection large-scale raids, and the people they seized were forced into cattle cars and sent to slavery under guard. More than 2,000,000 residents of Ukraine were taken away by the Hitlerites in this manner.

In order to instill fear in the population, to suppress all will to protest, to make them obedient slaves, the occupants built gallows on the streets and squares of the cities and villages of Ukraine where bodies of men, women and even children swung from almost all the time. The hangings took place in the presence of the local residents who were forcibly assembled. The horrors of Hitlerite genocide were intensified by the sadist inclinations of certain killers in the uniform of the SS, SD, Gestapo, the Wehrmacht or police. The killings of people were preceded by brutal humiliation which was carried out with exceptional cruelty.

A Lviv resident Teodor Sulim, a man with a tragic destiny, who lived through the Nazi occupation and the hell of the Oswiecim death camp, related after the war: "Already on the very first day of the occupation the city of Lviv experienced what the 'New Order' was like: death by shooting, murders and gallows. There was, literally, no street without dead bodies

lying around. Quite a few peaceful Soviet people were hanged on their balconies. First of all the Hitlerites executed the intellectuals: engineers, physicians, lawyers, teachers and students.

"I witnessed how on Copernicus Street, near the citadel, the Hitlerites with their sleeves rolled up and guns hanging on every shoulder beat an elderly man until he lost conscience in broad daylight on June 30, 1941. He fell covered with blood and here the fascist killed him. Such scenes were frequent on every street. I saw a terrifying scene on Na Baikah (presently Kiev) Street where a Nazi officer grabbed a baby from its mother's arms and holding it by the legs smashed the child's head against the wall of a building. I will never forget that wall covered with the baby's blood."

Another Lvivite Ivan Bril recalls: "My wife and I were on our way to visit my sick father. All of a sudden three trucks pulled up beside a three-storied apartment house. People quickly closed their windows and grew quiet. We hid in the gateway of a printshop. Hefty Nazi soldiers jumped down from the trucks and aimed their machine-guns at the windows of the building. Several men ran up the stairs. Shots were heard inside the house. Glass flew from an attic window and the frame crashed onto the road. A head with light brown hair appeared in the dark opening, but only for a moment, then a child's body hit the sidewalk with a dull thud. This was followed by another and another. The murderers pushed seven children out of the window."

That same day, June 30, 1941, a subdivision of SS men headed by SS Standartenführer Erchard Kreiger, arrived in the small town of Dobromyl, Lviv Region, Western part of Ukraine. The Hitlerites forced the inhabitants to assemble on the market place. To intimidate these people, Kreiger pointed out 90 persons from the crowd and ordered them executed. These unfortunate people, innocent of wrongdoings were driven out of town and shot. The dead and wounded were thrown by the SS brutes down a 80 meter salt mine.

Similar and more horrible crimes were carried out by the Nazis during the entire period of occupation. This was genuine genocide, a preplanned mass annihilation of the peaceful population.

It's difficult to imagine that under such conditions there were people who voluntarily offered their services to the occupants and began helping them to exterminate their own countrymen. Like Quisling and Laval and other collaborators of lower rank there also appeared traitors in Ukraine, different rogues, soldiers of fortune and criminals who became henchmen to the Hitlerite butchers. Traitors who served in the so-called Ukrainian Security Police set up by the Nazis to assist their punitive units, received 30 Marks per month, six cigarettes per day and a bottle of vodka before each bloody operation. And they worked off these pitiful handouts of the occupants by killing, torturing and driving off to slave labor their fellow villagers, neighbors and countrymen.

Bandits from the Organization of Ukrainian Nationalists (OUN) proved to be zealous Nazi

accomplices. The leadership and rank and file members of this organization actively collaborated with the occupants in establishing the New Order in Ukraine. This collaboration of Ukrainian Bourgeois Nationalists with the Hitlerite special services began long before the war. The OUN *Provid* (that is how the nationalists called their leadership) had for many years been stationed in fascist Berlin. The nationalist leaders made their way to Ukraine's territory in the waggon trains of the Hitlerite troops.

The nationalists were given the role of henchmen of the executioners, and they zealously served their masters by stopping at nothing or before any brutalities. In his confession, former OUN member Ivan Mikhaliniuk stated: "Everywhere I saw one and the same thing, the close cooperation of the nationalists with the fascists, open collaboration, and loyalty with the occupants. In violating the dignity of the Ukrainian population, plunder, manhunting those who evaded being shipped off to Germany, the struggle against the partisans and the like, the Ukrainian nationalists even surpassed their bosses."

The OUNites made up the basis of the "Ukrainian Security Police" set up by the Hitlerites. They helped the Gestapo hang and murder their countrymen, ship them off to Germany for slave labor; they served as Abwehr agents, gathered data on Soviet partisans and underground workers and themselves killed Soviet activists and partisans.

Today, many years after the war, the former Nazi accomplices who were able to escape

punishment, hope that time has erased the bloody traces of their crimes. Moreso, they even try to give themselves off as victims of fascism, ascribing themselves nonexistent merits in the struggle against the occupants. Having found shelter in a number of Western countries from the just anger of their countrymen, who are well aware of their true face, the traitors are trying to pull the wool over the eyes of the public in those countries.

But their efforts are in vain. There exist thousands of archive documents, investigation acts on the crimes committed by the Hitlerites and their nationalist bodyguards, as well as hundreds of eyewitness accounts. And, finally, thousands of eyewitnesses are still alive, and all of them incontrovertibly prove that the nationalists served the fascists loyally, committed acts of unheard-of brutality against the peaceful population during the occupation of Ukraine.

Here's what residents of the village of Krasne, Ternopil Region, M. Mushto and I. Omelchuk tell:

"The thunder of guns had not yet died down near Ternopil and Zolochiv, and fierce battles were being still waged between the Soviet troops and German tank units, when the nationalist gang of Hrihoriy Tsebra began bossing the show in Krasne. Already on the second day they began acting on behalf of the 'German führer.' They seized honest and innocent fellow villagers and subjected them to brutal torture. Women and children wailed in the Krasne graveyard over the maimed men.

"Ignat Ivanuik's eyes were gouged out, his

whole body pricked with bayonet wounds. One of the bandits, Iosif Supotnitsky, boasted that he personally cut off the tongue of Stefan Pereima. Several days later the butchers seized farmer Ilko Doskoch, slit his throat with a razor and threw him down into a pit half alive. Andrei Humenniy was hacked into bits."

Here, too, in Ternopil Region, in the village of Bozhikiv, Berezhany District, another tragedy was taking place. The nationalist murderer Ilya Vitrak and several of his hatchet men arrested the director of the local village recreation club Maria Burmilo, the Chairman of the Village Soviet Pavlo Tkach, the miller Mykola Bartkov, a teacher of the orphanage Anna Shchur, and several other Soviet citizens. In the cellar of the club where the butchers had thrown more than 20 people they arrested, Vitrak wrenched their arms, gouged out their eyes with a hot iron rod, cut off their ears and strangled them with barbed wire.

A band of nationalists headed by a certain Kholodniy emerged in the village of Yastrubichi, Radekhiv District, Lviv Region, in the first days of occupation. Having assembled his cutthroats, Kholodniy delivered the following speech: "The führer of Great Germany Adolf Hitler has come to our aid, and we are very grateful to the German Army which has come to Ukraine... I would like to remind some parts of the instruction of the Central Provid of June this year, where, as a matter of fact, it is stated: 'Our power must be frightening.'"

The very same day the OUNites from the Kholodniy gang tortured 9 persons in Yastrubichi.

In the village of Koshnev, Tismenitsky District, Stanislav Region (currently Ivano-Frankivsk Region), the gang of OUNite Petro Lytvin was going on the rampage. He and three accomplices (Mikhailo Samelyuk, Ivan Samelyuk and Fedir Lytvin) seized collective farm chairman Mikhailo Moisei, Chairman of the Village Soviet Myron Kaban and Secretary of the Village Soviet M. Belbas. The arrested were taken out into the fields and tortured. They gouged out the eyes of Mikhailo Moisei, broke his arms and legs, skinned him alive and hacked his body into bits. The other people they arrested were also tortured to death.

A gang of OUNites in the village of Zolota Sloboda, Ternopil Region, (Petro Hutsal, Ilariy Mandziy, Olexei Paliy, Myron Kinal, Hnat Ivaskiv, Stefan Hadyach, Ilariy Tkach and Volodimir Papuga) tortured to death over 50 people in one night.

Many places pass before the eyes, places where crimes were perpetuated, and an endless list of victims comes to mind. It is just impossible to list all the crimes of the nationalist accomplices of the Hitlerites. But the pattern of episodes makes up a terrifying picture of genocide carried out together with their henchmen, the traitors of the Ukrainian people. Who are they, these monsters in human form, who committed such heinous mass killings?

Murderers, Who Are They?

They have been damned by the people, but their names are known to the courts which have to carry out justice. Many of them have already been brought to trial, but some have been able to escape just punishment. They fled together with the Nazi masters, they tried to escape to the West, far away from their nation. Having changed their names, concealed their past, they have settled in the USA, Great Britain, Canada and other western states.

But no recourse to various tricks can help them escape the judgement of the nations. Let people see their ferocious faces and learn about their terrible deeds.

Here are but a few names and several examples of the crimes they committed. It will become clear why humanity cannot remain calm while these monsters are walking around free, each of whom is guilty of the agonizing death of dozens, hundreds and even thousands of people.

Babenko Vasil. From the first days of fascist occupation went to serve the Nazis. Became a preliminary investigator and worked his way up to head of the Vasilkivsk District "Ukrainian Security Police" in Dnipropetrovsk Region. For bloody "merits" before the Reich he was promoted in March, 1942 to the post of chief of police in the village of Prelistne, Slovyansk District, Donetsk Region. "Babenko was known for his violation of human dignity, looting, monstrous atrocities against anyone who fell into his hands," relates N. Vinnik, a teacher

of the Prelistne secondary school. 3,496 Soviet citizens, including 430 children were put to death on the territory of Slavyansk District where Babenko operated. Among these victims there were many whom Babenko personally took a hand in killing. Living today are eyewitnesses of his crimes — N. Miroshnichenko, V. Plis, M. Kovalenko and other local residents. (After the war Babenko fled to Canada, and now lives in Toronto.)

Bezruk V. Former senior policeman and later gendarme in the village of Derhachi, Kharkiv Region. This butcher surpassed others in his pathological passion for killing. In June, 1942 he personally hanged 12 Soviet patriots. Somewhat earlier this sadist and his pals organized a manhunt in the outskirts of Derhachi. Residents of the village Luzhok, Derhachi District, S. Nikolenko and P. Zheltonoh, who were eyewitnesses to Bezruk's crimes relate that for two days the murderers killed everyone who crossed their path. All told Bezruk and his pals shot 36 people, innocent farmers, who were just going about their business. (After the war Bezruk fled to Canada.)

Buchok Vasil. Former policeman from the village of Chekhove, Monastirska District, Ternopil Region. Deserted the Red Army. Already on July 3, 1941 the nationalist gang headed by Buchok was committing monstrous atrocities against the farmers of Chekhove. He brutally killed 37 farmers, of them five were children and 6 women. Buchok and his pals beat people to death with clubs and pierced them through with pitchforks. One of the nationalists grabbed 16-month old Orest Mikin, and swinging him

by the legs struck his head on the waggon wheel. They also tortured the old woman M. Nakonechna and her two-year old grandson. (Buchok found shelter in Argentina.)

Golod Stepan. Former policeman in Striy, Lviv Region. Here is what a Striy resident Yevstakhiya Krepets tells about him: "The German-Ukrainian policemen appeared in Striy as soon as the fascist occupants came. Approximately at the end of October, 1943, Golod and four Gestapo men entered our house. They began a search, but found nothing. They ordered my mother to get ready. She put on her coat, glanced at me with eyes full of tears and said: 'I'll be back soon,' and left. More than two months passed, but we knew nothing of mother's fate. But one day on December 28, 1943 I saw a covered truck drive up and stop in the square. People were being forced off. Among them I saw my mother. There were 17 persons in all. Then another truck drove up. The prisoners were divided into two groups. The first group, my mother among them, were lined up against the wall. Golod was issuing the orders. After the first group was shot he ordered the second to be taken to the gallows. A very little boy was not tall enough to reach the noose, and then one of the policemen lengthened the rope. It's hard remembering such things even when they took place so long ago... When everything was ready, Golod personally came up to the gallows and kicked the bench from under the feet of the innocent victims."

It is also difficult for Maria Moskalyuk, also a resident of Striy, to talk about those bloody events. Golod repeatedly would break into the

house of the Moskalyuks, where two women and two young girls lived (the father and grandfather having gone to the front with the Red Army), beat them up and humiliate the defenceless women and children.

"Many Jews lived near our house," relates Maria Moskalyuk. "I often saw how they were humiliated and robbed. Before my very eyes Golod killed my neighbor Shaihits and his wife. How he tormented the Liba family! The unfortunate were swollen from hunger. My grandmother fed them with anything she could get her hands on. But one day the old man Liba did not come. I ran to see if anything had happened. I ran into their yard and saw his daughter and him lying in a pool of blood. The next day our neighbor Shrairova told us that Golod was the murderer. And several days after this he killed her and her small child."

There is other evidence pointing to the crimes committed by Golod. He was among those who organized mass shootings in the Holobytiv Forest, who committed atrocities in the Jewish Ghettos. (Golod found shelter in the USA.)

Derkach Mikhailo. Former policeman in the township of Noviy Yarychiv, Lviv Region. Here's what resident of the town A. Pankevich tells about him:

"The Hitlerites built a concentration camp in our township and commissioned the police to guard it, to such riffraff as the kulak's son Derkach. From Noviy Yarychiv and surrounding villages they rounded up thousand of peaceful citizens, Ukrainians, Jews and Poles. Every hut housed 20—30 families of the doo-

med. The punishment for leaving the house and going out into the yard was death. I will never forget the day when they were driven out of camp for execution. The temperature was a minus 30°. The people were half naked, with the butchers even taking away their footwear. With butts they were driven out onto the road leading to the forest. Those who could not move from exhaustion were shot on the spot."

M. Svotnya, relates:

"Shots could be heard in the morning from the ghetto. Bossing the show was Police Chief Chuchman, policeman Derkach and his pack. The fascists and police were driving out people in large groups numbering from 100 to 150 persons. Bodies were taken out of the houses and piled 10 to 15 per sled and taken to the pit.

"Shots rang out till late in the evening. They killed so many people that for another month the snow in the pit was red with blood. People now call this place the "bloody ravine.' "

But Derkach continued his brutal killings. At the beginning of February he shot a whole family, adults and children. Several days later the butcher killed two young girls, and then another five of his fellow villagers. (After the war Derkach fled to the USA.

Dik Ivan. Former Deputy Chief of Police in the township (currently town) of Selidove, Donetsk Region. There are many eyewitnesses to the crimes he committed. Here are just some of the eyewitness accounts. "I personally experienced the monstrous nature of this butcher," relates Stepan Dzuba. "During a raid I was seized by the Selidove police and was subjected to interrogation and torture. Before my very eyes, in the

room where the interrogation was going on a policeman shot one of those detained. He was Serhei Kopachev, a very young lad. And when I tried to defend the innocent lad, that butcher Ivan Dik emptied his pistol at me."

Stepan Dzuba did not die. His body along with others was thrown into a ravine. Severely wounded he miraculously regained consciousness, and at night crawled out of the grave.

"Twice I witnessed the crimes of that monster, Dik," relates M. Panasenko. "I worked as a telephone operator at the post office which the occupants housed in the building of the prewar district military committee. From my window I had a clear view of the police courtyard across the way where Dik served as a deputy police chief. His crimes were the most monstrous of the lot. At the beginning of March, 1942, at approximately 9 a. m. Dik and his pals brought the Jewish family Kovalevich into the yard, husband, wife, sister, as well as three children: Anna, 8 years old, Lyuba, 4, and Fira, 2. They were led to open pit and shot. Dik began the shooting and his police pals followed. Some time later they brought in a group of arrested consisting of 15 persons. While they were still in the truck, Dik ordered to undress, after which he lined them up at the same open pit and again was the first to start shooting." (Dik fled to Canada.)

Dmitriev Fedir. Former policeman and later Oberburgermeister of the Olexandrivka District Council, Donetsk Region. This traitor voluntarily offered his services to the police as soon as the fascists occupied the Donbas. In his strive to curry favors with the Hitlerites Dmitriev

stopped before nothing. Eyewitnesses of his crimes recall that this sadist tied a woman by her hair to the chain of a well and for a long time tortured her by dropping into the well and then lifting her out again. A resident of Olexandrivka Ulyana Shcherbak relates that the policeman used a fork as a weapon. The arms of this woman still show traces of the terrible scars from punctures and ruptures inflicted upon her by Dmitriev during interrogation. Ulyana was able to save herself. But Dmitriev shot her sister Halya who was expecting a child along with her three other children.

It is also known that on March 5, 1943 the Nazi henchmen took part in the shooting of 162 persons among whom there were many women and children. (Dmitriev also fled to Canada.)

Zvarich Kiril. This policeman carried out his bloody deeds in the villages of Volyn Region. He took great pleasure in killing people during family holidays. On February 11, 1944 he burst in on a wedding in the village of Yarevishche. He shot the bride and groom, and then set fire to the house full of guests shooting at the ones who tried to escape from the burning building. Murdered and burned alive were 27 persons. The residents of the villages of Volyn Polissya will never forget the monstrous crimes perpetrated by this ruthless degenerate. During a christening party given by farmer Ukhim Mishchuk he shot one of the guests, Ivan Zakharchuk, and the next day he met Trofim Hlinyanko and his wife Yevdokiya who were going to the funeral of Ivan and shot them in the back with his machinegun.

Yefrosinya Bilityuk accidentally became a witness of one of the crimes of Zvarich which he committed in the summer of 1942. It would be a good thing if her story was heard by those who are today talking profusely about statutory limitations to those crimes committed by the Hitlerites and their henchmen. "Standing on the edge of a pit were women, children and three men. I recognized three of the families. They were Nikolai Hlushuchkov and his mother Tetyana. Volodimir Hlinyanko and his wife Shura. Their son. She was expecting her second child. Also there were Panas Naumuk and his wife, Stefka, holding her small son in her arms. The boys were about the same age, three or thereabouts. I saw Zvarich grab one of the boys, and swinging him by the cuff of the neck, aim his revolver at him. Tetyana, Nikolai Hlushuchkov's mother, ran up to him shouting, 'Oh, my God! What is the world coming to? What has this child done to you that you are taking his life?'

"But Zvarich only roared. All my hair stood on end from that inhuman laugh. 'Shut up, or you'll be there this minute. Go pick yourself a spot in the pit,' he sneered, and again fired at the child but did not kill him. The little boy went into agony before the eyes of his mom and dad.

"Oh, mommy it hurts!" screamed the poor child. 'It hurts so!' So Zvarich fired a couple more times into that small body to finish the child off. Stefka Naumukova put her arms around her son and crying softly began to beg Zvarich. She did not fall on her knees, neither did she begin kissing his hands, she just implo-

ringly gazed into his eyes begging for the life of her son. She just wailed and kept repeating: 'Kill my husband and me first, kill us twice, only let Zhorik go. Let him run away into the forest. You will not see him again. The world is not without kind people, someone might take him in. When he grows up he might offer his services as a herdsman. Let him go, you hear?'

"But Zvarich tortured her cruely in her last minutes, this poor woman. He did the same to Shura Hlinyankova. She was expecting a child and that is why she was calm and sluggish.

"I have seen much in my life, lived through a lot and thought a lot things over. I can imagine how terrible it would be, even worse than your own death, to look into that pit where your dead child lay." (Zvarich found shelter in Great Britain under the name Stanislav Petrovsky).

Kovalchuk Serhiy. Former Deputy Chief of Police of Lyuboml District in Volyn Region. This butcher personally arrested, tortured and shot Soviet people. P. Kotovich, a pensioner living in Lyuboml, related the following facts on the crimes committed by Kovalchuk. "In September, 1942 Kovalchuk arrested me on suspicion of sticking up antifascist leaflets and brought me to the station. During the interrogation he beat me with a rubber club, with his fists and feet. Through a hose they poured water down my nose until I lost conscience. From the police station I was taken to a ghetto and later to the Oswiecim." It was a miracle that Kotovich remained alive. Other victims whom Kovalchuk tortured were shot by him. Such was

the fate of Stepan Rezenko and Feodosiy Rudts, residents of Lyuboml, arrested in 1941.

Great was the sorrow of D. Nemets, a Soviet Army soldier, who returned to Lyuboml after it was liberated from the fascists. All his relatives and close friends were murdered by Kovalchuk and his henchmen during the occupation.

The details of one of the most monstrous crimes in which Kovalchuk himself took part have come to light. In October, 1942 the police headed by Kovalchuk rounded up 5,000 peaceful citizens on the territory of former brick factory on the outskirts of Lyuboml. The butcher maliciously whipped the doomed people, shot on the spot those who could not move to the place of execution. S. Trofimchuk, who accidentally became an eyewitness of this crime of the traitor relates: "I saw Kovalchuk shot the exhausted people who could no longer march in the column."

Then Kovalchuk began to force people into large pits that were specially dug out, and competing with the cruelty of the fascist henchmen, kept firing at the defenceless victims. Soon after this Kovalchuk and his police pals hanged an elderly woman near the cathedral in Lyuboml. Kovalchuk personally kicked the bench from under her feet. (After the war Kovalchuk found shelter in the USA.)

Koziy Bohdan. Served as a policeman at the Lisets District Police in Ivano-Frankivsk Region. He personally tortured and murdered innocent people, including women and children.

Witness Anton Vatseba relates: "My heart aches when I begin remembering how Koziy

dragged the three year old daughter of the local doctor Zinger, by the collar like a kitten. The child was crying, calling for her mother. But this monster dragged her into the police yard and before the eyes of teenagers, including myself, stood her up against the wall. He took a long time aiming and shot the girl firing two shots. At night the villagers buried the girl.

"The same fate awaited 14 year old Lyusya. She was able to run away from the column of people who were being driven to the ghetto. She hid herself in a barn, but Koziy found her there and shot her. The people frightened to death who came to see what the cries and shooting was all about heard Kovalchuk say with satisfaction: 'Now I can eat my dinner with an appetite!' "

Before the eyes of M. Ilkovska, senior policeman Koziy and his pals murdered two more local families. In one of the houses they came upon Kandler, the miller. With him were two daughters, a son with his child, and another two teenagers from the neighboring village. In the yard the police beat them mercilessly and began shoving them onto the truck. Koziy shot the son right on the spot. "I will never forget," said Mariya Antonovna, "how the Bredholts couple fell down upon their knees before the butchers and begged for the life of their tiny daughters. But Koziy with annoyance shoved aside these poor people. When he lifted his carbine I ran away. But I could not run away from the sound of the shots, which decided the destiny of this family."

People remember how the Hitlerite lackies in dark blue uniform with the trident on their caps

robbed the doomed, plundered foodstuffs from the residents, beat half to death those who tried to escape being sent to slave labor in Germany. They also remember how the sadist had his picture taken at the graveyard with the naked bodies of his victims lying near freshly dug graves in the background.

The names of 200 civilians killed by Koziy have been ascertained. (For many years the butcher lived in the USA. Later he was given the opportunity to move to Costa Rica.)

Kupyak Dmitro. Actively assisted the Hitlerites to organize units of the "Ukrainian Security Police" in a number of villages in Busk District, Lviv Region. Later he became the leader of a OUN gang (alias "Klay"). He murdered 200 civilians. The butcher is being cursed by farmers from the villages he razed to the ground: Adamy, Ostriv, Posadiv, the settlements Mazarna, Shlyonzaki and Sobashki. One of the eyewitnesses of Kupyak's crimes Ivan Sen told how Kupyak's gang had attacked the settlement of Vodai. Ivan Sen was able to escape. When he returned to the smoldering township he saw 10 burned bodies in the shed, and alongside the fire-ravaged remains of his 15 year old brother Yevhen, a girl named Stefania Babiychuk and the six-, seven- and eight-year old boys of the Bulkovsky family tortured by the bandits.

And a day later, on August 19, Kupyak and his accomplices destroyed the Fedoruk and Yasinsky families and their children in the village of Yablunivka. Several days later the bandits attacked the village of Verbyani. They locked up the Troyan family in their home and set it

ablaze. When Hanna Troyan crawled out of the fire with a child in her arms, machine-gun fire could be heard. (Kupyak found shelter in Canada.)

Nosenko Vasyl. Former policeman in the village of Denhy, Cherkassy Region. This butcher tormented his victims by placing their fingers between the door and the jamb and by driving needles under their finger nails. He tortured a severely wounded partisan Pilip Blazhko before the eyes of his small children. He then killed the man and his wife and sent the daughter Hanna Blazhko, a teenager, to be shot. Luckily the girl was able to escape.

A collective farmer-pensioner Uliana Basai can tell a lot about the criminal activities of Nosenko. The butcher murdered her sister Maria and her husband, her aunt Yevdokia and her husband, and many other villagers. (Today Nosenko lives in the USA.)

Ulitsky Hrihoriy. A Hitlerite toady who committed bloody crimes in Khmelnitsky Region. In January, 1944 the punitive expedition of which Ulitsky was a member, burst into the village of Pipivtsi. They set fire to several homes stating that their owners were connected with the partisans. At the edge of a ravine the traitors shot 17 persons, including K. Panchuk and her three small children. But Panchuk did not die, she was only wounded. In the morning her fellow villagers took her out from under the bodies and looked after her. Pensioner K. Panchuk is not the only eyewitness of Ulitsky's crimes. The fascist mercenary is still being cursed in many villages and towns of Volochis, Krasilivsk and Starokostyantiniv

districts where his appearance was also accompanied by arrests and killings. Ulitsky and his gang shot 12 residents in the village of Veliki Zozuli, and set fire to their homes. In the village of Polessye they murdered a group of farmers. Ulitsky personally tortured many of his victims. (Ulitsky fled to Canada.)

The higher ranks of the police were even more hideous. Take for instance the Deputy Chief of the "Ukrainian Security Police" in Kiev Anatoliy Kabaida. His favorite pastime after his regular drinking spree was to take a ride with his pals to the jails and practice his shooting by using the inmates as targets. But this was a trifle in comparison to the thousands of POWs, women, children and old men who were exterminated upon his orders. When it was brought to his attention that there were many wounded and seriously ill inmates at the POW camp in Pushcha-Voditsya he, that same day, sent 430 policemen with orders to kill all the disabled.

Kabaida personally led raids on Soviet citizens which were carried out on the streets and market places of Kiev. These were accompanied by many killings. Kabaida and his henchmen took part in the offensive Nazi crimes, the mass executions of Soviet citizens in Babiy Yar. (Kabaida found shelter in Australia under the name of Zhukovsky.)

Among the Hitlerite accomplices we find many names of Uniate Church clergy, which was under the control of the Vatican. The Uniate "Shepherds of Souls" headed by Metropolitan A. Sheptytsky actively supported the fascist New Order, gave their blessing to the

German-fascist troops and the nationalist cutthroats. This is suffice to brand the Uniate clergy as the most hostile enemy of the Ukrainian people. But this was not enough for the "Holy Fathers." Certain Uniate priests with the knowledge and blessing of the Metropolitan changed their robes for a policeman's uniform and headed police stations and headquarters, as well as OUN gangs. No matter how absurd this may seem, but this is what took place on the occupied territories of Ukraine: the Holy Fathers destroyed their flocks on a mass scale.

Here are the names of a few.

Hrynyokh Ivan. Graduate of a Catholic Theological Academy in Innsbruck. Chaplain of the Nachtigall * battalion. War criminal gave his blessing to the bandits who carried out atrocities against the peaceful population, in particular, the bloody butcherings of intellectuals in Lviv in June, 1942. As an agent of the German military intelligence he coordinated the operations of the security police and the SD on the one hand, and the echelon of the military formation of the nationalists (the OUN—UIA — Organization of Ukrainian Nationalists-Ukrainian Insurgent Army) on the other, which carried out subversive-terrorist operations against the Red Army and peaceful population on the

* On the eve of the war with the USSR the German military intelligence formed from among the Ukrainian bourgeois nationalists two subversive-punitive subunits — the Nachtigall and Roland battalions. Heads of the Nachtigall battalion were A. Herzner, Abwehr political aid Oberlender (that same Oberlender who after the war became a minister in the Adenauer government) as well as Roman Shukhevych, the "Ukrainian" aid of the battalion commander.

liberated territories. He was decorated with the Nazi Iron Cross. (Hrynyokh fled to the West.)

Datsishyn Vasyl. Uniate priest who left behind a bloody trail in the village of Selets-Benkiv, Kamyanka-Buzka District, Lviv Region, where he was a police commandant. (Found shelter in the USA.)

Karichek Bohdan. Former dean of the church in the village of Yalinkovate, Skole District, Lviv Region. Became police commandant in the mountain village of Porohi, Solotvin District, Stanislav Region. (Fled to Canada.)

Torbych Yuriy. A monk at the Mukachev Greek Catholic Monastery. Served as chief of police in Turka and Rava Russka (Lviv Region) and other towns. During one punitive operation Torbych and his gang killed 800 women, children and old men. (Lives in the USA.)

Many black deeds are on the conscience of former priest and later bandit chief Mikhailo Kostyuk, monk Ilya Menchuk, priest Yakiv Beloskursky, and seminary student S. Yanishevsky. The latter served as Deputy Commandant of the Rovno Police organized by the fascists in the first years of occupation. In 1943 upon the orders of Abwehr he headed a nationalist gang which committed monstrous crimes on the territory of Rovno and Volyn regions.

Among the murderers we should name those who morally prepared these men to commit those bloody crimes. Among them are Ivan Bazarko, who voluntarily went to serve the occupants in 1941. He prepared ideologically the OUN-men for criminal collaboration with the Hitlerites. He was the editor of a sheet newspaper "Ukrainski Visti" (from March, 1942

renamed "Sokalske Slovo") which was published with the permission of the occupational authorities in Sokal. The exaltation of the raving führer was muddled up in this sheet newspaper with glorification of the bloody New Order, established by the fascists on the temporarily occupied territories of Ukraine, as well as with the propaganda of frenzied anti-Semitism and racism. The flinging of mud at the USA and Great Britain was printed side by side with the exaltation of local killers' and bandits' appeals to cooperate with the Nazis and going to work in Germany. Bazarko formulated his misanthropic credo in the following way: "Only with the unity of the spirit of our two great nations (he had in mind the union of Ukrainian bourgeois nationalists with German nazism) can we boldly look into the future, can we be confident in victory... over capitalist plutocracy and Bolshevik Jewish-Communism." It is well-known what bloody deeds these "theoretical" statements turned into in practice. Although Bazarko only wrote articles, his hands, too, are covered with the blood of innocent victims of the fascist terror, in the establishment of which he took a direct part.

The list of crimes committed by the Hitlerite hirelings is a long one. Many of these crimes were perpetrated under the cover of nationalist slogans.

At the Service of Fascist Germany

Formations of Ukrainian bourgeois nationalists under different names were organized in the 1920s beyond the borders of Ukraine.

The "Organization of Ukrainian Nationalists" (OUN) emerged at the beginning of 1929, which united several of these formations of profascist and terrorist trends, including the so-called "Union of Ukrainian Fascists." Such a name was far from being accidental. The Ukrainian bourgeois nationalists from the very offset orientated themselves on fascism as an ideological and organizational basis for their movement. The clerical-nationalist newspaper "Nash Klich" (Our Call) of June 3, 1938 declared: "There is now a sociopolitical system which is developing the world over: in one country it manifests itself as fascism, in another as Hitlerism, and we name it here as nationalism."

The dream of the bourgeois nationalists was to set up an "independent Ukraine," a totalitarian-fascist state system, and for this cause they were ready to undertake anything, even war against their own nation. Characteristic of this is the admission by member of the OUN leadership M. Stepanyak, which he made some time after the events described: "The OUN ideology was formulated during the upsurge of the fascist movement in the West, under its influence and according to its model. In the struggle for the realization of its plans, the OUN proclaimed that it would rely on the so-called internal forces, and advance the slogan

'great Ukrainian nationalist revolution.' But in reality the OUN adapted all its policy to the military goals of fascism. It calculated not on 'internal forces,' in which the OUN did not believe, but on war by the fascist state, primarily of Germany against the USSR."

Today the nationalists like to recall how on June 30, 1941 they proclaimed a "Ukrainian state" in Lviv. It's hard to think up a more malicious insult to the very idea of statehood than this political farce which was held with the permission of the German authorities. On that very day and hour when the cutthroats from the punitive battalion Nachtigall let themselves loose on the streets of Lviv killing innocent peaceful citizens, a group of nationalist renegades which represented no one were holding forth on an "independent" Ukraine in the company of Hitlerite SS officers. The "act" adopted by this crowd was corresponding. Item 3 of this "act," in particular, reads: "The Ukrainian state which again emerges will closely cooperate with socialist (i. e. national-socialist — *Authors)* Great Germany which under the leadership of Adolf Hitler is establishing a New Order in Europe and the world." "...The ...Ukrainian... Army will continue to struggle further allied with the German Army... for... a New Order the world over" — and finally: "Long Live the heroic German Army and its führer Adolf Hitler!" The OUN ringleaders Bandera and Stetsko assured the fascist leaders that the "OUN will defend and introduce in the country the fascist ideological doctrine," referring hereby to the June 30 act, and pathetically exclaimed: "Can there be a greater evidence

of loyalty than the registration of this OUN policy in the document which has received broad popularity in Ukraine?"

Indeed, it is hard to think up more evident proof of lackey loyalty of the OUNites to German fascism. If the small fry sold their executioner diligence for six cigarettes per day, then the OUN leadership was ready to sell the entire nation to the fascists only to be allowed to sit on its neck.

Today those in the émigré circles who cherish the hope of returning to Ukraine with new masters, are trying to present the OUNites as heroes, glorifying these people, and educating the young citizens of Ukrainian parentage in the USA, Canada, Great Britain and other countries on their example. Well, let's recall what these "historical personalities" were in reality and what their deeds were.

These people who present themselves as "patriots" of Ukraine served many masters: the secret services of Poland, Romania, the Czech police... But most of all the nationalists were drawn to Germany, especially after Hitler came to power. All OUN founders and leaders, without exception, were agents of one or another foreign special services. Thus, the first OUN "chief" Yevhen Konovalets, a former Austrian officer, was an agent of the German military intelligence Abwehr.

One of the closest accomplices of Konovalets, Andrey Melnyk, who took over his post of OUN chief, immediately went to serve in the German intelligence. One of his meetings with Abwehr representatives Lachausen and Schtolze took place at the beginning of 1939. Melnyk assured

his masters of his loyalty, and spelled out his own cooperation plan with the fascist military intelligence. The main undertaking of this plan was considered by Melnyk to be the establishment of ties with those nationalist agents, who remained on the territory of the Western regions of Ukraine for subversion and espionage against the USSR. Also Melnyk asked that Abwehr took upon itself all the expenses for the organization of subversion. This was done.

Stepan Bandera, one of the most merciless of the OUN ringleaders, was also an agent of the fascist special services. "Careerist, fanatic and bandit," that was how Erwin Schtolze, the Abwehr OUN curator, characterized him.

Yaroslav Stetsko was a typical representative of the OUN leadership. He began his political career by planning terrorist acts. As a result of the one in 1933, Andrey Mailov, Secretary of the Soviet Consulate in Lviv, was killed, and another in 1934, the Polish Minister of Internal Affairs Peratski was killed.

Having served 2 and a half years in prison, terrorist Stetsko left for Austria, and then went to Italy where he was recruited by the Italian intelligence, and worked under the alias of "Belendis."

In 1939 he received the post of OUN ideological leader and took an oath of allegiance to it's chief Andrey Melnyk. But in 6 months he betrays his chief and goes over to his opponent in the struggle for the power in OUN Stepan Bandera on whom at that time the German intelligence has placed their stakes. This intelligence Stetsko could in no way ignore as he

was listed there as an agent under the alias of "Basmach."

As to his political views Yaroslav Stetsko was a staunch fascist, as he himself wrote in his biography: "In the political line I stand for an authoritarian and singleparty system in Ukraine, and in the social line — for national solidarism, which is close to a national-socialist program."

In his practical activities Stetsko proved himself to be a loyal Hitlerite hireling. In the first day of Lviv's occupation on June 30, 1941 he as "Prime Minister" "proclaimed" the founding of a puppet "government," the aim of which, as he himself wrote, was to "establish cooperation with the German authorities and ...organize by its own forces all types of assistance which may be needed by the German Armed forces."

Ya. Stetsko was undoubtedly responsible for the bloody deeds of the subversive-espionage Roland and Nachtigall battalions, in particular, for the butchering of Lviv intellectuals, carried out by them in July, 1941. Archive documents evidence that the organization of local subunits of the "Ukrainian police" was dealt with personally by Ya. Stetsko, M. Lebed, Ye. Vretsyona and others.

Till the end of his life Stetsko was an implacable enemy of Soviet power, the Ukrainian people. When last heard of he lived in Munich. All his subversive activities were financed by the CIA.

One of the closest aids of Konovalets and Melnyk, Yaroslav Baranovsky was an agent of the Polish police in the 1920s and 1930s. He

informed on the members of his own organization.

Omelyan Senik, member of the Central OUN Provid, simply sold to the Czech police (and through it to the Polish) the entire OUN archives together with lists of organization members. Besides this, Senik, the same as one of the OUN founders M. Stsiborsky, served in the German intelligence.

Another henchman of Konovalets, Roman Sushko was a double agent, serving both in the German and Polish intelligence.

Chairman of the so-called Ukrainian Central Committee, set up in 1941 in fascist-occupied Cracow Volodimir Kubiyovych, received the following character reference from his chief, Abwehr Colonel Biesnz: "Kubiyovych has always been loyal to fascism, has done a great deal for the Abwehr, and his personal negative traits did not have notable significance in relation to the German occupational authorities.

"Moreso, we ourselves stimulated his careerist inclinations and pretentions because we knew that Kubiyovych, being an old and honest agent of our service, under any circumstances, will remain our man."

All this convincingly testifies to whose interests were expressed and what were the goals of this gang of hired agents, calling themselves the Organization of Ukrainian nationalists.

Facts Expose

No matter how the OUN leaders today try to paint everything white, to give themselves and their henchmen off as fighters for the "national

liberation" of Ukraine, to paint a picture of their "feats" in the anti-Hitler resistance, facts tell absolutely the opposite. Here are just several of them.

In the first week of the occupation of Lviv the Nachtigall battalion destroyed more then 5,000 innocent people. The list of those who were to become the first victims of this bloody terror, was made up by two OUNites — Yevhen Vretsyona and Ivan Klimiv, who wrote the names of all people with the title of "professor" or any other scientific titles from a prewar telephone directory.

The other punitive battalion Roland, headed by Richard Jary and Yevhen Pobihushchiy was sent by the Hitlerites in the direction of Odessa. Later, the fascists formed police subunits from both these battalions and transferred them to Byelorussia where the OUNites steeped their hands in the blood of the fraternal Byelorussian people.

A great number of OUNites served in the punitive battalion SS-102 and SS-105, which carried out mass executions, in particular in the town of Kremenets. Here is what a resident of Kremenets Vera Obolonchik recalls: "Trucks continuously brought people to the execution grounds right up to 10 p. m. At first they brought children of various ages and their mothers. They undressed them, lined them up in columns of four and forced them over to the trenches. The terrible cries of the victims intermixed with machine-gun fire. When night came the shooting stopped. The butchers covered the bodies with earth, but the blood continued to ooze to the surface. The earth moved as if brea-

thing. Here and there a human hand or leg would stick up on that red mass of soil. Those who did not die were pushing their way up through the bodies in order to escape. But the police immediately shot them." All told the SS-men from the 102 and 105 battalions murdered more than 26,000 peaceful citizens in Kremenets, Pochayiv, Vishnevets, Shumanske and Lanovets ghettos.

On July 25, 1943 the local newspaper of Ukrainian nationalists "Kremenetskiy Visnik" boasted that the butchers of the SS-102 battalion won the confidence of the occupational authorities.

Never will the Nazi murderers and their nationalist hatchet men be forgotten and forgiven for destroying 250 Ukrainian villages, which were razed to the ground, and all their inhabitants killed. One of the villages which suffered the same fate as the French Orandour, the Czech Lidice, the Byelorussian Khatin, was the village of Kortelisi in Volyn Region.

This took place on September 23, 1942. Before dawn the punitive detachment advanced on Kortelisi along forest roads. Taking part in this operation along with the Hitlerites were units of the Ukrainian bourgeois nationalists. Policemen of Colonel Shaliga-Markovsky arrived here headed by squadron leader Semeniuk (later they all joined the gang of the so-called Ukrainian Insurgent Army set up by the Ukrainian bourgeois nationalists in 1943 upon the orders of the Hitlerites for waging an active struggle with the Soviet partisans).

All the residents of the village were rounded up on the square. The engines of the automo-

biles were started in order to muffle the shots. The bloody massacre began. The adults were shot and the small children thrown into the graves alive. In five days, ending September 27, 1942, 2,875 Kortelisi residents were slaughtered, among them 1,620 children. Then the village was plundered and set ablaze.

Taking part in the destruction of the village of Kortelisi together with the butchers from the "Nurnberg" company commanded by Oberleutnant Glucks were OUN policemen, including the Police Commandant Mykola Zenyuk and elder Andrian Palivoda (both fled from retribution to the USA), policeman Kiril Hrabaruk (fled to Sweden), the already mentioned Kiril Zvarich, and policeman Vasyl Pashchuk (fled to the USA).

In their attempts to curry favors with the Hitlerites the Ukrainian nationalists moved further and further into the quagmire of crimes against the nation. It was not enough for them to serve in the police, take part in punitive operations and in mass reprisals against the peaceful population.

The leaders of the OUN groups vying with each other asked permission of the Nazis to form their own special formations from among the Ukrainian nationalists. In 1943, when the Hitler war machine was experiencing the powerful blows of the Red Army and was in dire need of urgent recruits the OUNites realized their plans for the delivery of "cannon fodder" for the Wehrmacht by putting at the disposal of the Nazis the SS "Halychyna" Division made up of Ukrainian bourgeois nationalists and other punitive formations.

Brigadenführer SS Freitag was placed at the head of the "Halychyna." All the key posts were held by German officers. Even the smallest subunits had a German, the eyes and ears of the division command, which did not entirely trust the nationalist soldiers.

We cannot but recall that treacherous role played in stupefying a part of the youth in Western Ukrainian regions by the Uniate Church. The head of this Church, Metropolitan Sheptytsky gave orders to the priests to conduct agitation for mobilizing the peasants into the SS division. With his blessing, a number of Uniate clergymen became chaplains in the "Halychyna" division. These chaplains received the oath of allegiance from the new SS-men. The oath reads:

"I promise to obey Adolf Hitler, as Führer and Supreme Chief of Staff of the German Armed Forces.

To loyally serve Adolf Hitler, as the great Führer of Great Germany.

To be loyal all my life to Adolf Hitler, as the great Führer of New Europe."

In June, 1944 the SS "Halychyna" Division was completely crushed in battles with the Red Army, and subsequently, the nationalist SS-men were used by the fascists in the main for punitive operations. The Hitlerite collaborators suppressed the freedom of not only the Ukrainian people, but also the freedom of other European nations.

In the light of the history of the "Halychyna" Division the attempts of the present OUN historians to give it off as its "Ist division" of the mythical "Ukrainian Army" look blasphemous.

Dressed in the uniform of the SS troops, armed with German guns and trained by the Germans to shoot, the SS-men from "Halychyna" were a unit of Hitlerite cutthroats, the mortal enemy of the Ukrainian people.

As was mentioned earlier, the Ukrainian Insurgent Army was organized in 1943. The nucleus of the UIA personnel were the butchers from the battalions Nachtigall and Roland, police and other riffraff. The composition of the command was the same. The Commander-in-Chief of the UIA was Roman Shuhevich, a professional Abwehr saboteur, one of the commanders of Nachtigall. Officers of "Halychyna" or the Wehrmacht, Kuzminsky, Karachevsky and Sidor, were members of the UIA military brass coordinating the activity of the UIA bands. Kozak, who in 1941—1942 was a top ranking official of the Vinnitsya Gestapo, was appointed the leader of the Ost intelligence group of the UIA.

Today the OUNites are asserting that the UIA was organized to fight on two fronts. Under such Nazi leadership these assertions about the bandit formations look like a brazen lie.

Indisputable is the fact that the UIA was organized upon the orders and with the direct support of the German military intelligence. This, in particular, is testified to by one of the Abwehr officials Erwin Schtolze, who was in charge of the Ukrainian nationalists: "During the retreat of the German troops from Ukraine, Canaris gave orders on the organization of an underground for continuing the struggle against Soviet power in Ukraine, for conducting terror, sabotage and espionage. Official

representatives, officers and agents of the Abwehr were specially left behind to coordinate the movements of the nationalists. Orders were given to set up stocks of weapons, food, and so on."

The active participation of German-fascist agents in UIA operations is testified to by the fact that during clashes of Soviet Army units and national armed formations with the UIA bandits in the autumn of 1944, 320 Germans were destroyed, the absolute majority of whom were Wehrmacht, Abwehr and Gestapo officers.

The Hitlerites gave the UIA a large amount of equipment, weapons and ammunition. With the aim of concealing from the population the true essence of the relations between the UIA and the fascist army, demonstrative attacks were organized on Wehrmacht warehouses by the OUNites which the Hitlerites gave up without the smallest resistance, safe and sound, and even hung out the "UIA flag" on the warehouse building.

One of the UIA rank and file members Nazar Smishan, having acknowledged his tragic mistake and broken off ties with the bandits recalls: "We called ourselves Ukrainian insurgents, but in reality we were sold lock, stock and barrel to the fascist command, and we were actually its agents and henchmen in the pre-front zone."

The local residents did not support the nationalists. They helped partisans in every way they could. People saw that the true fighters against fascist occupants were partisans and underground workers. The nationalists cruelly revenged the population because of this

support. Only because the residents of the villages of Hinochi, Ozero and Andruha, Volodimirets District, Rovno Region, fed several partisans, the bandits chopped to pieces 22 persons. In the village of Puznya, that same Region, they butchered 27 persons for displaying sympathy for the partisans, in Zhovkinyakh — 16 persons, and in the villages of Poroslya and Yakivka — 389 persons. The nationalists committed horrible crimes in the villages of Bihun, Olexichi, Hochin, Dobrovitsya and other populated areas in Rovno Region.

No less monstrous crimes were committed by them in other regions. The bandit underground continued to kill peaceful citizens even after the liberation of Ukraine's territories by the Soviet troops. When the front units of the Red Army marched through these places, the bandits sat it out in their hidings. Taking advantage of the fact that the front had moved far into the West, the OUNites began to terrorize the defenceless villages in which only women, old men and children remained.

In the autumn of 1944, they set fire to the home of farmer A. Lavreshchuk and tortured his three children in the village of Belichi, Lyuboml District, Volyn Region. In the village of Boholyube (currently Pershotravneve), Rozhishchensk District, the bandits broke into the home of P. Kovalchuk and hacked off the heads of four children.

On January 17, 1945 the Ternopil Regional newspaper "Vilne Zhitya" wrote about the monstrous reprisals over the residents of the village of Lozove, Velikoborkivsk District, which the gang of the nationalists attacked. In an hour

and a half they killed 100 peaceful villagers among whom were many old men and children. "It is impossible to find words," wrote the newspaper, "in order to describe the terrible picture of the massacre of the Kruz family. Bodies covered with blood lay on the beds, on the floor and on the stove. The walls and floors were splattered with human brains and blood."

The bandits were brought into a frenzy with signs of life being normalized after the liberation from the bloody Nazi dictatorship: bodies of people's power began functioning, hospitals were opened, and children began attending school. The nationalists vented their anger on those who had any relation to these changes. On February 7, 1945 they tortured teacher M. Shevchenko in the village of Strashevichi, Stary Sambir District, Lviv Region. In March, 1945 the nationalists took off into the forest by force teacher M. Polusitok from the village of Krehove, Nesterov District. Her body was found several days later sawed into three parts.

In the opinion of the nationalist bandits terror should have instilled in the population a blind fear of them thus opening up a road to power. In reply to this units of self-defense began to be organized by the local youth. With the assistance of these units the Soviet Army was able to clear the forests of bandits. The remnants of the OUNites began to make their way to the West from whence they had come.

The short history of the OUN in Ukraine can be summed up by an excerpt from a letter written by OUNite Fedir Rushchuk to the Vatican.

"I was born in Ukraine, helped the Germans in every way. And later, as you yourselves

know I was forced to hide in forests. We also hid in the Goshev Monastery at Father Grinya's. There I met with the local OUN leader 'Berkut.' We began to kill everybody without mercy. We buried them alive, threw them into wells. I strangled them with these very hands. The Lviv monk Markela helped me flee to West Germany."

JUST PUNISHMENT

Warning to the Barbarians

The truth about the crimes of the Nazis on the temporarily occupied Soviet territory became known long before the rout of fascism. Information coming from enslaved Europe supplemented this picture of horror and those crimes which were carried out on a mass scale and with inhuman brutality. With the steady liberation by the Soviet troops of the USSR's territory the data on the brutalities were confirmed by documented facts.

In its note of November 25, 1941 the People's Commissariat for Foreign Affairs of the USSR drew the attention of the world public to the systematic brutalities and reprisals perpetrated by the German authorities against the Red Army POWs. All these facts were rightly characterized by the Soviet government as being an outrageous violation of the elementary principles and norms of International Law. The responsibility for these inhuman actions lay with the Hitlerite government, which was

defined as "criminal." This was the first indication to the crimes, which later were called "war crimes" in the judicial language. The second side of the criminal activities of the Nazis was "crimes against humanity" — monstrous terror against peaceful citizens. "The inhuman brutality of the German clique, born of the violence against its own nation, was manifested against the population of European countries, on the temporarily occupied territories by Germany. This brutality was excelled many a time over by the German Army when it invaded USSR territory. The Hitlerite oppression of the peaceful Soviet citizens eclipsed the most bloody pages of man's history and that of world war," pointed out the People's Commissariat for Foreign Affairs in its note of April 27, 1942.

Thus began the formation of the basis of the approach to problem of qualifying the criminal activities of the Hitlerites and responsibility for them. It was becoming clear that the punishment of Nazi criminals was closely connected with ensuring a stable and just peace. "...After the victorious war and corresponding punishment of Nazi criminals the tasks of the USSR will be to ensure a stable and just peace," reads the Declaration of the governments of the USSR and Poland, signed on December 4, 1941.

In the course of the war the USSR individually or jointly with other states promulgated a number of notes, statements and other documents, telling the world of the monstrous crimes perpetrated by the Nazis and their henchmen on the temporarily occupied territories of the USSR and other countries. These papers

also contained a warning on the responsibility for these crimes.

On January 13, 1942 the plenipotentiaries of governments of Belgium, Czechoslovakia, Greece, Luxemburg, Holland, Norway, Poland, Yugoslavia, as well as the National Committee of Free France, signed a Declaration on the Punishment for Crimes Committed During the War (otherwise known as the St. James Declaration). Representatives of the nations who fell victim to the fascist aggression convincingly showed that the regime of terror established in the occupied countries, mass arrests and deportation, execution of hostages, and extermination of the peaceful population were the acts of the most flagrant violation of the existing International Law, in particular the 1907 Convention on the laws and forms of land war. The signatories of the Declaration proclaimed the punishment by law of all those guilty or responsible for these crimes regardless of whether the latter were committed upon their orders, personally or with any type of encouragement on their part. Special attention was focused by representatives of the European states on the need to strictly observe that "**the guilty and responsible, regardless of their nationality, be found, handed over to justice and tried, and that the sentence be carried out.**"

The Declaration was presented to the Soviet government, which in its reply of October 14, 1942, stated that "the criminal Hitlerite government and all its collaborators should and would be punished for their crimes committed against the nations of the USSR and against all freedom-loving peoples"... The Soviet government

believed it necessary to immediately bring to the judgement of a special International Tribunal and punish in all severity of the criminal code any leader of fascist Germany who falls into the hands of the anti-Hitler coalition ally.

The American President Franklin Delano Roosevelt voiced complete unanimity with the Declaration of the nine governments and the statement of the USSR. In August, 1942 he expressed the view that war criminals should be given a warning that they will be tried in those countries where they had committed their crimes.*

Great Britain, China and the British dominions also voiced their solidarity with the St. James Declaration. The thought was firmly established in the minds of the freedom-loving nations and their leaders that the Nazi butchers and their henchmen, who operated in Europe, are deprived of the right to find shelter anywhere and that they will be immediately extradited to the country where they committed their crimes and be tried there. This was the thought expressed in the House of Lords on October 7, 1942 by the British Lord Chancellor, who stated that the criminal is deprived of the right to shelter even if he runs to the ends of the Earth.**

Statements on Nazi criminal deeds made public in the first period of the war were permeated with pain and anger. These feelings also accompanied the decisively expressed political will of the nations to punish the crimi-

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* UN Doc. E/CH. 4/906, February 15, 1966, p. 13, 14.
** Ibid., p. 14.

nals, interpreted in which was the fulfillment and strength of future legal norms. The Moscow Declaration on the Responsibility of the Hitlerites for the Committed Monstrous Deeds signed on November 30, 1943 by Joseph Stalin, the head of the Soviet government, the US President Franklin D. Roosevelt and the British Prime Minister Winston Churchill, received broad response in the world. In this statement the three allied states underscored that they, acting in the interests of all united nations, registered the principle of the extradition, trial and punishment of war criminals in those countries in which they had committed those crimes. Sounding as a funeral bell for the Nazis and their local henchmen was the strict warning: "...who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgium or Norwegian hostages or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in territories of the Soviet Republics which are now being swept clear of the enemy, will know that they will be brought back, regardless of expense, to the scene of their crimes and judged on the spot by the peoples whom they have outraged. Let those who have hitherto not imbrued their hands with the innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done." *

* Correspondence between the Chairman of the Council of Ministers of the USSR and the Presidents of the

It should be stated that the initiative to adopt this Declaration was advanced by the British Prime Minister Winston Churchill. On October 13, 1943 a message was received in Moscow addressed to Joseph Stalin from the British Prime Minister. It contained the proposal to promulgate the strict warning to the butchers of European nations in reply to the reported "evidence of the atrocities, killings and cold blood executions" on the Nazi occupied territories. Enclosed was a draft of the text of the future Declaration. According to the opinion of the British allies, the Nazis, guilty of brutalities against the population and resistance forces in the occupied countries, should be tried in those spots where they committed their crimes. "I strongly commend to you the principle of the localization of judgment as likely to exert a deterrent effect on the enemy terrorism. The British cabinet endorse this principle and policy," * wrote Winston Churchill to the Soviet head of government. A positive reply from the Soviet side was already presented to the allies on October, 25.

Till now under discussion were the direct henchmen of those terrible crimes. The question of the major war criminals whose criminal activity was not connected to any definite geo-

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USA and the Prime Ministers of Great Britain during the Great Patriotic War of 1941—1945. Vol. 1, Moscow, 1957, p. 174.

* Correspondence between the Chairman of the Council of Ministers of the USSR and the Presidents of the USA and Prime Ministers of Great Britain during the Great Patriotic War of 1941—1945. Vol. 1, Moscow, 1957, p. 175.

graphical spot, was to be solved later, as indicated in the Declaration.

The thing is that there were essential differences on this issue among the allies. The US Secretary of State Cordell Hull persistently proposed to immediately hang those responsible for the war after their imprisonment and identification, without any trial. The US Secretary of the Treasury Henry Morgenthau, Jr., in his memorandum of September 6, 1944 proposed to make a list of major German war criminals which would include those whose guilt is established by the United Nations. After their detention and identification these persons should be shot immediately.

Many other American and British politicians were almost of the same opinion, including Prime Minister Winston Churchill. The latter, for instance, proposed in October, 1944 in the British House of Commons the thought that such criminals as Hitler, Goering, Goebbels and Himmler should not be put on trial.

The reason which forced certain persons in the West to renounce the holding of public legal proceedings against major Nazi war criminals, lay in the fact that such a trial could make known to the world public the evidence showing that influential circles in the West had taken part in the rearming of Germany, the strengthening of its economic might, and encouraging it to attack the USSR.

The USSR strove for an open trial of these criminals, because an open process according to all rules of a democratic legal proceedings would make it possible to uncover and show to the whole world the reasons for the Second

World War, the true essence of the Nazi state, and conditions which made it possible for a gang of criminals to come to power in one of the largest states of Europe. Conclusion had to be drawn from the past events, the accumulation of extraordinary sufferings of entire nations, and monstrous deeds, which should forever remain in the memory of nations. Besides retribution, the victors were faced with the tasks of sounding a warning that such things should never be repeated.

And in the final end the allies heeded the clear cut and convincing arguments of the USSR. At the Berlin (Potsdam) Conference of the leaders of the three allied states — the USSR, the USA and Great Britain (1945), it was decided: "War criminals and those who took part in the planning or realization of the Nazi undertakings entailing or resulting in brutalities of war crimes, should be arrested and brought to trial." *

Forthcoming were the elaboration and signing of the London Treaty on the prosecution and punishment of major war criminals of the European Axis countries and the Charter of the International Military Tribunal, which decided legal issues in bringing major war criminals to justice, and finally forthcoming was the Tribunal itself, which was to open on November 20, 1945. But already in the middle of

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* The USSR at the International Conferences during the Great Patriotic War of 1941—1945: Collection of documents. Vol. 6. Berlin (Potsdam) Conference of the leaders of the three allied states — the USSR, the USA and the Great Britain. July 17 — Aug. 2, 1945. M., 1980, p. 486.

1945, there developed a system of prosecuting war criminals: war criminals and persons accused of committing crimes against humanity — the Nazis and their collaborators — should be tried in those countries where they committed these atrocities; major war criminals, whose crimes were not connected with definite geographical spots had to be tried by the Court of Nations in the person of the International Military Tribunal.

Besides this, other war criminals had to be charged with clearly formulated accusations based on irrefutable facts, data and eyewitness accounts. Work on the preparation of such an account for the Nazi criminals began long before the end of the war.

It was Impossible to Conceal Crimes

The investigation of fascist crimes started already during the first stage of the war. In November, 1942 the Presidium of the USSR Supreme Soviet decreed to set up a Special State Commission which was entrusted with establishing and investigating the crimes of the Nazi occupants and those of their henchmen, and the losses inflicted on citizens, collective farms, public organizations, state enterprises of the USSR. Seventeen Western countries, including the USA, Australia and Canada, on their part set up on October 20, 1943, a joint investigating commission — the UN Commission for Investigating War Crimes.

The Special USSR State Commission conducted investigations and established the mons-

trous crimes of the Nazi criminals and those of their collaborators, and accumulated a huge number of documents and evidence. Acts, accounts, statements, conclusions of experts, photos and captured documents became stern accusatory materials against the butchers, oppressors of culture, civilization and progress. In the Caucasus, in the Baltic republics, in Ukraine and in Byelorussia, in Karelia and Moldavia, everywhere where the Hitlerite hordes trod they left behind devastated villages and cities, graves with bodies of those murdered and tortured, women, children, old men and prisoners of war, ashes of people they burned in crematoriums, and everywhere they inflicted infinite sufferings on the population.

Here is data characterizing the scale of the criminal deeds of the Nazis and local henchmen. It has been established that almost 5,500,000 people perished on the territory of the Ukr. SSR occupied by the Hitlerites, more than 2,000,000 were deported to Germany for slave labor. The population of Ukraine decreased by 13,614,000, including the urban population by 45 %, during the occupation. Almost half of this number of people were executed by the fascists, starved and driven off to Germany for slave labor.*

After the occupants were driven out from Ukraine more than 250 mass graves were uncovered where the victims of the fascist terror had been buried. Six were within the city limits of Kiev: in Babiy Yar — more than

* Ukrainian SSR in the Great Patriotic War of the Soviet Union 1941—1945. Vol. 3. K., Politvidav Ukraini, 1975, p. 152, 153, 158.

100,000 murdered; in Darnitsya — over 68,000; in Sirets — more than 25,000; in the mental hospital — 800; in Kiev-Pechersk Lavra — some 500; and at the Lukyanivka graveyard — 400.*

Millions of people experienced incredible sufferings and perished in death camps and ghettos, of which there were more than 230 in Ukraine. Many people were killed by the fascist butchers and their local henchmen during their acts of terror: shot down, rounded-up and executed as hostages.

Since the first days of capturing Kiev, the German barbarians and their local henchmen conducted mass extermination of the population by means of torture, shooting, hanging, suffocation in mobile gas chambers. People were seized right on the streets, shot in large groups and alone. In order to instill fear, announcements of the shootings were hung up: "Today 100 residents of Kiev were shot for sabotage. Let this be a warning. Every resident of Kiev is responsible for acts of sabotage. Kiev, 22.X. 1941. City Commandant." Or: "The growing number of cases of arson and sabotage force me to resort to strict measures. Thus 300 Kiev residents will be shot today. For every new case of arson or sabotage more residents of Kiev will be shot. Kiev, November 2, 1941. Ebergardt, Major-General and City Commandant.**

The Germans created a POW camp in July, 1941 in the center of Lviv on the territory of

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* History of the Ukrainian SSR. Vol. 8. K. Naukova Dumka, 1984, p. 442.

** Neither Prescription, Nor Oblivion. Materials of the Nuremberg Process. M., Judicial Literature, 1984, p. 68.

the fort called Citadel. It has been established that 280,000 prisoners of war were held there. More than 140,000 perished from hunger, sickness, torture, or were shot.

A Jewish ghetto was set up in Lviv in September, 1941. During the existence of the ghetto, until June, 1943 all its inmates, more than 130,000 people, including old men and children were exterminated.

Mass shootings of the peaceful population and POWs also took place in the Lisenitsk Forest in the outskirts of Lviv. It has been established that the occupants shot over 200,000 persons there.*

The Hitlerites not only used artillery, tanks and planes in order to enslave the Ukrainian people, but also engaged the services of the base traitors, the Ukrainian nationalists.

Many bloody crimes against their own people were committed by their blood-thirsty formations. They attacked villages, killed representatives of Soviet power, farmers and their families, burned homes and destroyed grain. More than 1,530 Soviet citizens perished from the hands of the OUNites in Stanislav Region in November, 1944. By this time over 800 bandit raids were carried out on villages in Volyn Region. Three hundred homesteads were razed and dozens of persons killed in 20 villages in Ternopil Region.

The traitors served the Hitlerite occupants faithfully. During the occupation of Ukraine the OUNites helped the fascist occupants demolish

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* Neither Prescription, Nor Oblivion. Materials of the Nuremberg Process. M. Judicial Literature, 1984, p. 74—76.

industry, devastate culture and the arts. They shot, strangled and hanged Ukrainian patriots and drove hundreds of thousands of Ukrainian young men and women to German servitude.

The Hitlerites and their local renegades inflicted huge losses upon people of Ukraine, its economy, art and culture.

The fascist completely or partially devastated and burnt 714 towns and 28,000 villages on the Republic's territory, destroyed 2,000,000 buildings and homes and more than 540,000 outhousing structures, and left 10,000,000 people without a roof over their heads. The occupants demolished 16,150 industrial enterprises, where 2,300,000 persons had been employed prior to the war. 1,916 railway stations lay in ruins, destroyed were 14,000 post-telegraph offices, 18,000 medical establishments, 33,000 secondary, technical and trade schools.*

Huge damage was inflicted on the cultural treasures of the Ukrainian people. Many historical structures were destroyed and huge number of objets d'art were plundered. Book depositories were ruthlessly plundered. For instance, the occupants took away from the Ukrainian SSR Academy of Science library more than 1,000,000 volumes of valuable books, manuscripts, albums, notes and geographical maps. Confiscated were precious Gospels dating back to the 16th century, Iranian, Abyssinian and Chinese 17-18th century manuscripts.

The fascists blew up the Kiev Politechnical, Food Industry, Industrial, Pedagogical and

* History of the Ukrainian SSR, vol. 8, p. 446—448.

other institutes. They burned down the Kiev Conservatory, the Red Army Drama Theater, the circus, and the Young Spectators' Theater. Similar criminal deeds were committed in all cities of Ukraine.

The destruction of cultural centers was accompanied by brazen plunder. This undertaking was put on a broad scale: special crews of pilfer-experts from different German departments scurried about the occupied Soviet territories in search of cultural valuables.

From the testimony of Norman Forster, Obersturmbannführer of the 4th company of the Sonderbataillon of the German Foreign Ministry: "In Kiev, the 4th company, in which I served, captured the laboratory of the Medical Scientific Research Institute. All the equipment, as well as research data, documents and books were shipped to Germany.

"We also captured a rich booty at the library of the Ukrainian Academy of Sciences which had in its depository extremely rare manuscripts of Persian, Abyssinian and Chinese writing, Russian and Ukrainian manuscripts, first editions printed by the first Russian printer Ivan Fedorov, and rare publications of the works of Shevchenko, Mickiewicz and Ivan Franko.

"At the Korolenko Library in Kharkiv several thousands of valuable books in magnificent edition were selected and shipped off to Berlin. The remaining stock was destroyed. Several hundreds of paintings were appropriated from the Kharkiv Picture Gallery, among them 14 canvases by Aivazovsky, works by Repin and many paintings by Polenov, Shishkin and

other artists. Also appropriated were all the sculptures and the entire scientific archives of the museum. The embroidery, carpets, tapestry and other exhibits were put at the disposal of the German soldiers."

These data taken from the huge factual material, included in the report of the Ukrainian special government commission, point to the countless human tragedies, horrors, sufferings, grief of individuals and entire nations in general.

The blood-curdling report was prepared for bringing a suit against major war criminals who were put on trial in Nuremberg, as well as against concrete executors of criminal orders, the Nazis and their accomplices who were able to flee from justice in those places where they had committed their criminal deeds.

They did not Escape Retribution

The question of punishing those responsible for war crimes and crimes against humanity confronted the civilized community before World War II. This question was especially urgent in the years of the World War I. Kaizer Germany then demonstrated a brazen disregard of international treaties, its troops grossly violated laws and means of warfare, committed bloody crimes against the peaceful population on occupied territory.

After World War I the public in many countries demanded the trial and punishment of German war criminals according to the Criminal Code which in the given case should be

put at the service of peace. In accordance with p. 227—229 of the Treaty of Versailles, Emperor William II should be tried for "the greatest offence against international morality and sacred force of treaties," and Germany was obliged to extradite Kaizer accomplices accused of gross violations of the laws and means of warfare.*

In February, 1920 the victors made the demand on Germany to extradite more than 88 war criminals from the Kaizer to the noncoms guilty of atrocities against the peaceful population. Some time later it became clear that the imperialists, both from the camps of the victors and the defeated countries, were not interested in a public trial over those guilty of the war. Facts could come to light at such a trial, revealing the guilt of all imperialist states for unleashing the war. The demand to punish the war criminals turned out to be a sorry comedy. Responsibility was laid only on the small fry.

Thus the seeds of crimes against peace, war crimes and terrible crimes against humanity were preserved. These seeds gave rich shoots on the fields of the Hitlerite aggression. The harvest of World War II on the ruins of Europe, which were drenched in blood and washed with tears, was frightful.

The united freedom-loving nations with all resoluteness began the elaboration in August, 1945. of the legal basis for subjecting to trial

* See. Komarov G. Individual Responsibility under International Law; the Nuremberg Principles in Domestic Legal Systems — Int'l and Comparative Law Quarterly, 1980, vol. 29, part I, p. 23.

major war criminals and procedures of conducting investigations.

The London Treaty on the investigation and punishment of major war criminals of the European Axis countries (and the Charter of the International Military Tribunal, part and parcel of this treaty) was signed by the USSR, the USA, Great Britain and France on August 8, 1945.*

It was decided for the first time in history to put on trial criminals who had seized an entire state and made it a tool in their criminal deeds. The Charter of the Tribunal clearly spelled out those crimes which entailed individual responsibility:

— crimes against peace: planning, preparation, unleashing and waging of aggressive wars in violation of international treaties, agreements or assurances, or participation in the general plan or plot directed at the realization of any of the above-mentioned actions;

— war crimes: violation of the laws or means of warfare. These violations include murder, torture or deportation into slavery or with other goals of the civilian population on the occupied territories; murder or torture of POWs or persons out at sea; murder of hostages; plunder of public or private property; meaningless destruction of towns or villages; ravaging not justified by military needs, and other crimes;

— crimes against humanity: murder, extermination, enslavement, deportation and other atrocities committed against the civilian popu-

* From the IMT's Charter, see: American Journal of International Law, 1945, vol. 39, Supplement.

lation prior or during the war, or prosecution on political, racial or religious grounds with the aim of committing or in connection with any crimes, subjected to the jurisdiction of the Tribunal, regardless of the fact whether or not these actions are a violation of the domestic laws of the countries where they were committed.

The official status of the accused, their status as heads of the state or government departments, as well as the fact that the accused acted upon orders, do not free him of the responsibility of those crimes which were under the jurisdiction of the Tribunal.*

One month before the legal proceedings the accused were presented with an indictment compiled jointly by Soviet, American, British and French prosecutors. The criminals who were to be put on trial were granted the right to choose a defender.

The proceedings opened on November 20, 1945 in the city of Nuremberg, that same city which the Nazis had chosen for the holding of their medieval orgies: hysterical party congresses, stuporing torch marches, and intimidating military parades.

Put on trial was the Nazi gang excluding Hitler, Himmler and Goebbels who had committed suicide, Robert Lei who strangled himself in his prison cell, Martin Bormann who fled and was tried in his absence, and Gustav Krupp who was stricken with paralysis.

During the proceedings, which lasted almost 11 months, there took place 403 open court

* From the IMT's Charter, see: American Journal of International Law, 1945, vol. 39, Supplement.

sittings, 116 witnesses were questioned, tens of thousands of written testimonies and more than 4,000 documental evidences were reviewed. As regards the proceedings against criminal organizations the Tribunal representatives questioned 101 witnesses, reviewed 1,809 written testimonies and six reports which summed up the contents of more than 196,000 other written testimonies concerning the crimes.*

Exposed before entire mankind at the trials in Nuremberg were militarism and imperialism as the exponents of fascism, the misanthropic nature of fascism was unmasked, the roles of German monopolies and those of their allies concerning the economic support of the Nazi power in Germany, putting the economy on a fascist footing and plundering the occupied countries were disclosed.

The legal proceedings in Nuremberg were distinguished by their impartial search for the truth, justice, availability of information, the accessibility for the accused of broad possibilities for their defence. The Chief Military Prosecutor from the USA Robert H. Jackson in his report to President Harry S. Truman expressed confidence to the effect that insomuch as the crimes of the Nazis have been confirmed by Nazi sources themselves and with great authenticity, then in the future it will impossible to deny these crimes and there exists no danger that a legend will appear among the ill-informed on the martyrdom of the Nazis.

The Tribunal paid special attention to the misanthropic essence of fascism. The Chief

* See: Diplomatic Dictionary. M., 1985, p. 283—290.

Prosecutor from the USSR R. A. Rudenko quoted at the Tribunal an excerpt of Hitler's "Mein Kampf" which was a manual of action for the nation: "We must develop a depopulating machine," stated the raging führer. "If you ask me what I mean by depopulation, then I'll say that I have in mind the destruction of entire racial units... Of course, I have the right to exterminate millions of the lower races, which are multiplying as worms!" And they put into practice their monstrous plans. Mentioned at the proceedings were mobile gas chambers, the "cyclone" gas for putting people to death, and gigantic crematoriums. It was also shown how with fanatical cruelty and scrupulously the hair of victims was made into mattresses and warm socks, the ashes of the cremated bodies into garden fertilizer, and shrunken heads served as decoration in the apartments of the SS-men, and bodies of the victims went to produce soap.

The prosecutor from the USA Brigade-General Telford Taylor put it eloquently when he observed that the main task was not to have one single fruit drop from the tree of Nazism but to uproot the entire tree.

It was with this task in mind, to uproot the rotting stump of Nazism from human society, that the judges of the International Military Tribunal issued their verdict. They proclaimed the major German war criminals guilty of the planning, preparation and waging of aggressive wars, of committing countless war crimes and grave crimes against humanity. The Tribunal sentenced 12 of the accused to death by hanging, and 7 to different terms of imprisonment. The International Military Tribunal also

pronounced guilty of crimes the leadership of the National Socialist Party, security units of the Nazi Party — SS, the secret state police, the Gestapo, the security service — SD.

The significance of the Nuremberg Court of Nations in the history of human society is great. Denounced at this court were aggressions and aggressors, and an impetus was given to the progressive development of international law for condemning and banning aggressive and military forces as a means for attaining foreign political goals.

The most gravest of international crimes (crimes against peace, against humanity and war crimes) were named and spelled out in Nuremberg.

The Tribunal revealed the social and political roots of fascism, its essence, but primarily it showed that there is not and cannot be any forgiveness for international crimes.

The Nuremberg Tribunal summed up the results of the criminal deeds committed by the Hitlerites.

The Soviet judicial bodies, already during the Great Patriotic War, reviewed a number of criminal deeds committed by the Nazi occupants in Ukraine, Byelorussia, the Baltic republics and on the territories of a number of regions of the Russian Federation.

The first legal proceedings in Ukraine took place in December, 1943, in the city of Kharkiv. Three German policemen and their henchmen, traitors of the Homeland, who signed their names on documents stating their voluntary service to the fascists, were accused of brutal extermination of civilians. The special units in

which they served killed more than 30,000 Soviet people in the city of Kharkiv alone. Open legal proceedings over the SS-men, former officers of the fascist army, the police and their henchmen took place in the towns of Mykolayiv, Kiev, Sevastopol, Chernihiv and others, in the first postwar years in Ukraine.

It should be stressed that all court sittings took place in an atmosphere of broad publicity, in strict conformity with the norms of the Soviet criminal proceedings. All the episodes of the case were carefully checked by documents, eyewitness accounts and cross examination. The accused were ensured the right of defense.

Legal proceedings against 22 fascist chastisers from the tank division SS "Totenkopf" began on November 22, 1947 in one of the small number of buildings which remained intact in Poltava. Among them were Brigadenführer SS Becker and Lieutenant-General Shartoff. The case was examined at an open court hearing by the Military Tribunal of the Kiev Military District. All of the accused were given qualified defenders.

The court authentically established that the entire path of the SS Division "Totenkopf" through the territory of Pskov, Novhorod, Poltava, Kharkiv and Kirovograd regions was accompanied by mass killings of civilians. More than 220,000 persons, including 11,256 children were killed and tortured in Poltava Region alone. In Poltava the fascists burned and destroyed more than one-half of the buildings, the town of Kremenchug was almost completely turned into ashes. The picture was the same in other populated areas. The fascist monsters

poisoned wells and set fire to grain fields. Shartoff testified that on the territory subjected to his command over 27,000 Soviet citizens were shot.

Every accused was charged with concrete crimes which were proven by facts at the preliminary investigations. The court irrefutably proved that in September, 1943 the SS-men from the "Totenkopf" Division forced 600 peaceful citizens into a school in the village of Stekhivka, Poltava Region, shot them and set the building ablaze. In the village of Kovalivka they burned alive 200 persons. In Kremenchug they forced several thousand residents onto a bridge, got into the tanks and began crushing the people. All the accused were proclaimed guilty of the crimes they were charged with and were sentenced to long prison terms (the death penalty was abolished in the USSR in May, 1947).

Legal proceedings are also taking place at the present time even though more than 40 years have passed since the war. The prosecution of criminals and the proving of their guilt is becoming more complicated. It should be borne in mind that those who carried out executions at that time got rid of possible eyewitnesses, and of evidence, too. But nonetheless, the painstaking work of Soviet investigating authorities continue. And as a result, court hearings are held as soon as the war criminal in hiding is discovered, as soon as new facts on the crimes come to light and enough proof has been accumulated to convict them. Thus, in Volyn, Dnipropetrovsk, Ternopil and Rovno regions the court of the Ukrainian

SSR in 1982—1984 has sentenced traitors of the Homeland, the Nazi henchmen N. Ogorodnichuk, P. Shpachuk, V. Stasiv, I. Naumkin, Ya. Ostrovsky, Ye. Sotskiy, S. Shum, who took part personally in the mass shootings of Soviet people. In the first years after World War II a number of important court proceedings were held overseas over Nazi war criminals. Thus in 1947—1949, in Nuremberg, American tribunals reviewed, in part, the cases of groups of fascist physicians, who carried out inhuman experiments on people; Herrings' deputy Feldmarschall Milch, heads of the Nazi justice; ringleaders of Goering's department for managing races and settlements; a group of Hitler's generals, who committed crimes against the laws and means of warfare, against humanity. 185 Nazis were sentenced in 12 such cases.

Court proceedings against war criminals took part in different countries. Western states sentenced some 5,000 persons from May 8, 1949 to January 1, 1964; the courts in Poland — 16,000; 16,000 in Czechoslovakia, and 12,000 in the GDR.

NO PARDON TO FUGITIVE NAZI CRIMINALS

The Goddess of Justice Lingers

War criminals who were detected and identified in the Soviet Union and European socialist countries, and whose guilt was proved, were punished during the first postwar years.

However, certain number of such persons managed to go in hiding under phony names or escape just retribution because the evidence furnished during the pretrial period was not sufficient to convict them for committing particular crimes.

No statutory limitations should apply to those who perpetrated heinous crimes. Mandatory prosecution and severe punishment of war criminals being a legal commitment are also sacred moral obligations before the victims of Nazism, entire mankind.

However, thousands of butchers who at one time fled to the West have paid nothing for their crimes yet, and are leading happy life donning the robe of "decent citizens". Thus, according to the American newspaper "Washington Post" of July 6, 1985 the USA only sheltered up to ten thousand war criminals.

During the postwar years war criminals could easily enter the United States, thanks, first of all, to the Law on Displaced Persons. According to Allan Ryan, former head of the War Criminals Division at the US Department of Justice, the immigration authorities, clearing the entrance of displaced persons to the country, proceeded from false premise that any refugee who had fled from communist system in the Baltic republics, Ukraine and Byelorussia was an innocent victim. They seemed not to know at all that most of those to whom they etxended patronage were elbow deep in blood of really innocent people.

In 1980 a documentary film "Those Who Escaped Retribution" produced by the A.B.C. was televised in the USA. The film authors —

script writer Michael O'Connor and commentator Tim O'Brian maintain that in the United States, Hitlerite war criminals live who are responsible for the death of at least two million people. Tim O'Brian says that many of them, masked as "displaced persons" rushed to the USA fleeing to safety from victoriously advancing Red Army. Allegedly, they ran away from communism, but actually they were trying to escape retribution.

Today, numerous facts have been brought to light proving that entrance to the USA was granted to persons whose criminal actions during the war time were well known to the immigration services. As a rule, those were the cases when the US Administration or special services found it expedient to provide shelter for such persons on political grounds intending to bring them into play later.

The above-mentioned documentary ends with bitter words of American writer E. Vizela who lived through the horrors of fascism:

"We shall never succeed in punishing all war criminals. They are far too many, their patrons are high ranking. It hurts me, a human being and a citizen, to realize that these people live freely in today's America trampling on the principles of democracy and justice."

In the summer of 1981, C. Allen, the author of the book "Nazi War Criminals in America: facts ... actions" said in an interview to a TASS correspondent that in many cases the US authorities knew about blood-stained past of Nazi criminals. However, no steps were taken to bring them to justice. Moreover, attractive posts were offered to them in the State Department,

Central Intelligence Agency, Federal Bureau of Investigation, Department of Defense, etc.

Not long ago, new details were made public of discreditable collaboration of the US state agencies with Nazi criminals guilty of mass killings of civilians. Many of them were accepted in the USA as fighters against the USSR and used to serve the purposes of intelligence and propaganda against the Soviet Union and other socialist countries. The newspaper "Washington Post" announced that its correspondents had found in the National Archives of the USA numerous documents of the State Department, which revealed that the State Department and military intelligence had employed hundreds of former Nazis whose extradition was demanded by the governments of the countries occupied by fascist Germany during the war. Various services of Great Britain were also active in helping the USA hide war criminals. In fact, extradition of butchers who perpetrated atrocities in the countries of Eastern Europe was totally banned.

Here is a vivid example. In March 1986, a New York weekly "Village Voice" acquainted its readers with criminal past of Mykola Lebid, now residing in Yonkers (USA). As far back as the 1930s he participated in the plot to murder Bronislav Peratsky, the Polish Minister of Home Affairs. Being a "Ukrainian commandant" of an intelligence school set up by the OUN authorities and assisted by the German Security Service, he "practised" sadistic tortures and killings. Later, Lebid was elevated to the post of the head of OUN Security Service, spearheaded first of all against civilian popu-

lation of the territories occupied by fascists, and patriots who rose to fight just battles. Lebid is guilty of not only murders he personally committed but of mass extermination of civilian population in Ukraine, carried out on his orders by terroristic bands of OUN—UIA, left by the Hitlerites in the rear of Soviet troops. Professional killer and terrorist, he for quite a time ranked third in the OUN hierarchy. In the fall of 1949, the US services helped this blood-stained butcher leave Western Europe and settle in the USA where he earned the reputation of a "very valuable agent." According to the above-mentioned weekly, in 1952 the Department of Immigration and Naturalization came to know his ins and outs and instituted proceedings against him on a deportation case, but the CIA came to help. In 1957 he was granted the US citizenship.

Till the end of the 1970s, those guilty of committing ferocious crimes felt absolutely safe in the USA. In 1979, War Criminals Division was set up under the US Department of Justice, which apparently brought quite a number of fascists and their henchmen into the state of anxiety, though, as we shall further see, there are no sufficient grounds for that. Till the very recent time war criminals residing in Canada also remained in absolute safety.

During the first postwar years competent agencies of the USSR, basing on documents and witnesses' testimony complied detailed lists of war criminals to be detected. They did the work immense in volume and complexity. In the cases when the whereabouts of fugitive criminals were in the West, respective offices

in foreign countries were advised and required evidence of offenders' guilt furnished. It should also be mentioned that in due time the countries of anti-Hitler coalition received the copies of captured documents proving the atrocities committed by fascist Germany's special services' units. All that was done with the sole purpose — to help detect criminals, no matter where they could hide.

Unfortunately, during at least three postwar decades the appeals by Soviet competent agencies to Western countries regarding extradition and prosecution of war criminals remained ignored in most cases.

Lately, certain progress has been observed, in particular, in the practice of the offices of justice in the USA and Canada. In 1976, the US asked the USSR for legal help in looking for former Nazis. Since then, the Procurator's Office of the USSR has gathered and handed over to the War Criminals Division upwards of 20 thousand pieces of evidence relating to more than 150 persons guilty of committing crimes during the war and sheltered in the United States. Over one hundred American lawyers — attorneys, investigators, advocates visited the USSR and took part in examination of 212 witnesses in 32 cases investigated by the War Criminals Division.

It should be emphasized that the materials furnished to the American party contained irrefutable evidence. There was not a single instance when Americans viewed the evidence as insufficient or the sources it was obtained from as doubtful.

However, we have to ascertain that the re-

sults of cooperation between Soviet and American justice offices are in general far from tangible. Civil proceedings only are instituted against war criminals in the United States.

The War Criminals Division investigates mostly the circumstances under which former Nazis and collaborationists entered the country. Should the War Criminals Division state that while entering the USA the Nazis and their servitors kept back their criminal past, it files denaturalization suits to courts, i. e. it demands that the US citizenship of such persons be forfeited. Forfeiting the citizenship may be followed (not necessarily though) by deportation of a criminal or extradition to the country concerned. Therefore, the only grounds for the court to comply with the suit is a proved violation of immigration rules' requirements.

The trial of Nazi accomplice Bohdan Koziy who committed numerous crimes in Ukraine is a typical example of legal substantiation of the US courts' judgements on deportation cases. The court's statement drawn by the District Attorney on March, 29, 1982 in West Palm Beach (Florida) reads: Bohdan Koziy was unlawfully allowed to enter the USA and to reside permanently on its territory for the reasons that follow:

a) being a member or participant of movements hostile to the United States, the defendant was a person not suitable for granting visa in compliance with Article 13, Displaced Persons Act;
b) since the defendant assisted Nazi Germany in persecution of citizens and volunteered to assist its armed forces, he was not a suitable

person for granting visa in compliance with Article 2 (c), Displaced Persons Act;

c) the defendant intentionally twisted facts having the aim of entering the USA, so, he was not a suitable person for granting visa in compliance with Article 20, Displaced Persons Act.

The citizenship of Bohdan Koziy must be forfeited.

Nevertheless, the authorites willingly let Koziy freely leave the USA and settle in Costa Rica.

The efficacy of justice bodies' performance of the United States as regards denaturalization and deportation can be estimated as very low. This is corroborated by comparatively small number of suits brought against war criminals and extremely slow investigation of cases in courts.

According to informed sources, of each three cases investigated by the War Criminals Division (preliminary investigation) two are dismissed, mostly for insufficient evidence.

The US justice establishment investigates the cases of persons suspected in war crimes at a snail's pace. As a result many of them stay for years in the United States or leave for any country at the moment they choose.

Let us take for example residenship forfeiture case of former policeman and murderer Anatoliy Gruzitsky. An active participant of punitive expeditions in Ukraine, for fear of just retribution, he voluntarily relinquished the US citizenship and left for Venezuela.

War criminals are not tried by criminal courts in the USA, the pretext being that the

US jurisdiction does not cover crimes committed on the territories of other states. In this case the question arises, why there is no consistent practice in the US justice to extradite such persons to concerned states, though as we shall later see there are all legal grounds for that.

The existence of such grounds is, in fact, acknowledged by the US justice. Thus, some time back Fedir Fedorenko, former SS Wachtmann who served in Treblinka and other death camps, was deported to the USSR. It is noteworthy that the US justice had at its disposal numerous indisputable proofs including the documents signed by the criminal of his personal participation in massacres.

Blood freezes when one hears of atrocities committed by this butcher. Witnesses testify that he and other wachtmanns (guards) from the unit he was in charge of, used to cleave prisoners' heads with axes before dumping bodies to graves. All, present at his trial in Simferopol in June, 1986 were stunned when one of the witnesses, formerly also a wachtmann, told a horrifying story of how genuinely surprised Fedorenko was to see that a five-year old girl whom he thrice riddled from a submachine gun was still alive.

In the name of the Ukrainian Soviet Socialist Republic, the court sentenced Fedir Fedorenko to death for committing the gravest crime known to Soviet laws in compliance with the Decree of the Presidium of the USSR Supreme Soviet of March 4, 1965 "On punishment of the persons guilty of crimes against peace and humanity and war crimes irrespective of

the dates of their commision." So, justice was carried, but only forty years later.

However, extradition of Fedorenko was the only case in the history of cooperation between the Procurator's Office of the USSR and respective US justice agencies in the field of war criminals' prosecution.

In February 1986, the United States extradited a war criminal Andriy Artukovic to Yugoslavia — an action, delayed by at least 35 years, because as far back as 1951 the government of Yugoslavia demanded that this Nazi criminal be extradited, and provided respective US agencies with his residence address. "Ustash Himmler", "the butcher of the Balkans" — are the names Yugoslavs call Artukovic. He was directly involved in slaughtering at least 700,000 Serbs, Moslems, Jews, Jypsies.

The above facts raise certain hope that just retribution will finally reach other war criminals who had found shelter in the United States. However, a question suggests itself, why so frequently it takes decades for the US justice establishment to realize that the demands to punish killers are genuinely just and fully grounded, why extradition of war criminals has not yet become a common procedure.

The case of Serhiy Kovalchuk, resident of Philadelphia (USA) may serve as a typical example of stubborn unwillingness to seriously approach and solve the problem of persecution of war criminals.

Immediately after Volyn Region had been occupied by fascists, Ukrainian nationalist Kovalchuk joined invaders' force. A lackey with bulldog determination, he was promoted to the

rank of police deputy commandant of Lyuboml. Later, the bosses used to honor him in every possible way for utmost enthusiasm in violation of human dignity, shooting civilians and perfecting other methods of murdering people. M. D. Marimekha, one of the witnesses said: "In the end of summer, 1942 in a clay quarry of bricks manufacturing factory where I worked a group of citizens of Jewish nationality were digging out two trenches, about 40 meters long and three meters deep each. Germans explained that porcelain plates and dishes would be produced there. But, one autumn day when we came to work, all of us were ordered not to leave the area. Soon we saw thousands of Jews guarded by Germans and policemen approaching the factory in columns. When they reached the quarry, Kovalchuk ordered them to undress bare. One of the guards searched clothes and put everything he found in a separate pile. After that all Jews were pushed to the trenches, their faces down and shot in the heads. In cold blood the killers were throwing little kids alive into graves."

Witness M. S. Kozel:

"Policemen ordered me and some others to fill back the trenches. Blood froze. We felt we were approaching the death itself. Blood was oozing through clay. German soldiers were finishing off the wounded. They changed one another to recharge machine guns. I remember one of them — yellow apron he wore over uniform was up to the waist in blood."

O. S. Trofimovich:

"Same autumn I saw Kovalchuk, some Germans and policemen hanging an old woman

near Polish cathedral. I remember how frenzy he was kicking the stool from under her feet."

P. A. Kotovich:

"I have a number tattooed on my left arm. 183068. This is a memory of Majdanek and Oswiecim and their barbed wire fences. Kovalchuk threw me there after six months of tortures. He pumped water into my nostrils, beat me severely with a heavy club, nearly strangled me to death."

Ten eyewitnesses of Kovalchuk's bloody crimes were examined in the presence of US lawyers. They proved one and only thing — Serhiy Kovalchuk is a war criminal. "We have collected many important proofs of Kovalchuk's criminal activities" — said Martin Mendelson, representative of the US Justice Department at the press conference organized by Volyn Procurator's Office. At the time M. Mendelson headed Special Trials Division of the Immigration and Naturalization Service.

"Materials on Kovalchuk's case furnished by Soviet justice bodies,— he also said,— have been fully proved. Sincerety of witnesses is doubtless. US courts must also trust them."

A US court manifested its trust, but only four years later. On July 1, 1983 a judgement was made and Kovalchuk was stripped of American citizenship. However, it took the court another 26 months to consider Kovalchuk's appeal. According to the latest information further consideration of Kovalchuk's case strayed somewhere in procedural dead ends of the US judicial system. Till today Kovalchuk lives in the United States.

People living in the areas where Nazi servi-

tors committed heinous crimes in times of the war frequently come out with demands to extradite war criminals who found shelter abroad and prosecute them in the interests of justice. Residents of Lisets (Tysmenits district, Ivano-Frankovsk Region) held their second general meeting within short period of time and resolutely demanded that traitors who joined Nazi invaders to sow death in their native land and later fled abroad for fear of just retribution be extradited. In the letter to the President of the USA R. Reagan participants of the meeting stressed the following: "In times of WWII Ivano-Frankovsk Region suffered heavily, but who can estimate human losses inflicted by Hitlerites and their accomplices!"

For many years Nazi criminals have been hiding from retribution in the USA. People of elder generation remember their bloody crimes, archive documents contain indisputable proofs of their crimes. Lisets residents stressed in the letter that Yaroslav Fisher who settled in Cleveland had on his conscience the lives of dozens of people he had tortured to death in different Carpathian towns. Since 1979, no progress has been made in the case of Ilya Drozdovich who served in Gestapo of Stanislav, now Ivano-Frankovsk, as an interpreter and participated in tortures, punitive operations and shootings. Dozens of photographs showing criminals in action, both Germans and Ukrainian nationalists, were displayed in the foyer of the cinema house where general meetings were held.

However, the activities of War Criminals Division, though minor in volume and, according

to A. Ryan, low in efficiency evoke strong dissatisfaction on the part of anti-Soviet reactionary organizations. According to the US press, representatives of ultraright immigrant societies directed a protest to the Justice Department as regards the Division's activities, its cooperation with Soviet justice offices in particular. No wonder, since one can easily find among his neighbors many of those who actively cooperated with Hitlerites, and on whose conscience are hundreds and thousands of human lives.

Denaturalization with or without subsequent deportation to the country where the crimes were committed for concealing the facts relating to the past by a person while entering the USA can hardly be treated as severe punishment for war criminals. However, as we have already seen, execution of even such lenient punitive measure is delayed for many years.

Judicial procedure of the US citizenship forfeiture is so clumsy that making a judgement can be delayed for five years and more provided no other hitches are there. Thus, citizenship forfeiture case is first heard in the court of first instance (before single judge). Appeal against court's decision can be filed in Appellate Court, and, subsequently, in the Supreme Court. Should the citizenship be forfeited, there are other means in stock to temporize final judgement: hearing by immigration judge, appeal to the Council of Immigration Intercessors, Appellate Court and the Supreme Court.

There are some other reasons why the US courts consider deportation cases at snail's pace, but they can never justify the practice. One

should always remember that the talk is not about the cases of immigration rules violations, crimes in question are horrible and of international scale. Another thing is noteworthy. Since the US justice is unwilling to take definite steps to bring war criminals to the docks, though it is a breach of its international commitments, or incapable of doing so, why not hurry up and rid the US society of those quiet but ominous neighbors by stripping them of American citizenship?

Several thousand war criminals found shelter in Canada. There are many Ukrainian nationalists among them who chose to become lackeys of German fascists and committed numerous heinous crimes in Ukraine. We have already mentioned that OUNites served in field and punitive units of the German army, worked hand in hand with SD and Gestapo.

They made up the bulk of the so-called Ukrainian Auxiliary Police which was used by the invaders to suppress partisan movement and exterminate civilian population. The strength of the SS-Halychyna Division was also made up to large extent by OUNites.

For many years now the Procurator's Office of the USSR has been furnishing documents to respective agencies in Canada as regards persons whose crimes were exceptionally grievous and whose whereabouts were well known. However, all formal appeals relating to persecution of war criminals remained unanswered. Some Canadian executives tried to substantiate such a standpoint by applicability of statutory limitations to criminals according to Canadian laws. Sometimes they declare that there is no

extradition agreement between Canada and the USSR, and so on.

However, at one time Canada formally acceded to many international documents binding the member states of anti-Hitler coalition to persecute Nazi war criminals and extradite them for subsequent prosecution to "the countries, where they committed acts of violence." *

In early 1985, the Canadian authorities, in response to the demands of wide public circles issued an order to enquire into the possibility of Nazi criminals' presence in the country. In February 1985, a committee was formed to look into the matter of war criminals which took first steps to streamline cooperation with the Procurator's Office of the USSR.

However, a sad fact in the history will remain forever — during decades war criminals lived without fear of punishment and felt absolutely safe in Canada.

In the Federal Republic of Germany war crimes are equated with ordinary criminal offence which emasculates political fascist essence and purposive international nature of committed crimes.

Most cases of war criminals are dismissed under pretexts that they were acting on orders or did not realize the unlawfulness of what they were doing, or time that passed since the crime was committed did not allow to prove the guilt.

As is known, upwards of 85,000 war criminals' cases were registered by 1980 in the FRG,

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* The Moscow Declaration on German Atrocities in Occupied Europe. October, 30, 1943.

but only about 6,500 culprits were brought to justice. One can find numerous instances when utterly nonsubstantiated, notguilty verdicts were pronounced in courts ending the trials of those who perpetrated atrocities in occupied territories. Even murderers like Wilhelm Westerheide, formerly gebitskomissar of Vladimir-Volynsk district in Ukraine and Karl Kampmann, commander of German gendarme unit in Sribne village of Chernigov Region accused of killing at least 600 Soviet citizens were pronounced not guilty. It's worth mentioning that in the first two postwar decades about 70 percent of judges' and prosecutors' posts in the FRG were occupied by those who served earlier in Nazi justice establishment.

During last five years only, the Procurator's Office of the USSR handed over to the FRG justice bodies exposing materials on 40 persons who committed crimes in times of war. Soviet witnesses visited the FRG and testified before many courts investigating war criminals' cases. However, as is known, guilty verdicts were pronounced in very rare instances.

Slowness in investigation of war criminals' cases and trials also calls for special attention.

In 1967, proceedings were initiated in the FRG against Nazi criminals A. Ulrich, H. Bunke and K. Endruwait. During WWII they conducted sadistic experiments in "special hospitals" aimed at selection of mentally retarded persons. Documents are available proving that they personally killed 9015 people. But the West German Themis dismissed the case under the pretext of absence of facts constituting an offence.

In 1972, under the pressure of public the authorities were compelled to resume the law-suit, but again the case was dismissed. And in January 1986, nearly 20 years after the first trial, the three butchers were once again brought before the court in Frankfurt-am-Meine.

Many lawyers contend that general tendency to minimize punishment or ungroundedly pronounce war criminals not guilty at all has been typical for West German justice throughout the whole period of its existence.

Unjustified red tapeism, astounding liberalism of courts' decisions and nonwillingness of some Western countries to carry justice run counter to universally acknowledged norms of international law.

Extradition. Demand of International Law

It is true that in some western countries the goddess of justice is not at all in a hurry to punish those who pronounced themselves outlaws by committing terrible crimes. Sheltering war criminals brazenly violates the norms of International law, universally acknowledged by the world community.

Importance of London Agreement of August 8, 1945, signed by the governments of the USSR, the United States, Great Britain and France as regards prosecution and punishment of main war criminals and the Charter of the International Military Tribunal is not limited by the trial and punishment of main criminals. It should never be forgotten that for the first time in the history of mankind, repre-

sentatives of different socioeconomic and judicial systems were fully unanimous in identifying and characterizing the most grievous international crimes. Efforts required to do it were unprecedented. Similarly there were no precedents in the history of atrocities perpetrated by Nazis and their myrmidons who infringed upon the very foundations of civilized world community. For the first time in the history of mankind the crimes against peace, military crimes and crimes against humanity were identified and classified not by the law norms of a definite state but by the International Law.

The principles of Nuremberg were recognized as the norms of International Law by all the states of the world. A ponderable proof of that is the Resolution of the UN General Assembly 95(I) of December 11, 1946. This document has emphasized the significance of London Agreement, Charter and Verdict of the International Tribunal for the world community and confirmed that the principles, formulated in those documents, are the norms of effective general International Law.

Let us recall that the Nuremberg Trial materials declared and confirmed the principle of extraditing persons guilty of committing war crimes and crimes against humanity for prosecution to the countries where the crimes were committed. Article 4 of London Agreement of 1945 specifies that nothing in the agreement belittles the provisions of Moscow Declaration concerning the return of war criminals to the countries where they committed crimes.

Since the First Session of the UN General Assembly, nearly each year this main international forum confirms the obligation of all the UN member-states to take all necessary steps to arrest and extradite war criminals to the countries where they committed crimes.*

The Second Session of the UN General Assembly considered in detail the problem of Nazi accomplices. The adopted resolution clearly states that accomplices are the citizens of any state charged with violation of laws of that state by committing acts of treason or active collaboration with enemies in times of war and they should be extradited to the countries where they committed crimes. (Resolution of the UN GA 170/11 of October 31, 1947).

On December 9, 1948 the General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide.

The preamble to the Convention, which develops the principles of Nuremberg, states that in compliance with international law norms, genocide is a crime, which contradicts to the spirit and goals pursued by the United Nations and is condemned by the civilized world. The Convention (Art. II) contains definition of crimes of genocide as of acts committed with the intent to destroy in whole or in part a national, ethnical, racial, or religious group as such:

a) killing members of the group;
b) causing serious bodily or mental harm to members of the group;
c) deliberately inflicting on the group the con-

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* Resolution of the UN General Assembly 3 (1) of February 13, 1946.

ditions of life calculated to bring about its physical destruction in whole or in part;

d) imposing measures intended to prevent births within the group;

e) forcibly transferring children of the group to other groups.*

Crimes against humanity for which Nazi butchers and their accomplices were and are being persecuted had been formulated in general form in the Charter of the International Military Tribunal (Article 6), a fundamental international legal act. Based on its provisions, the definition of crimes of genocide directly concerns fugitive Hitlerite killers guilty of annihilation of people belonging to definite national, ethnic, or racial groups, setting up ghettoes, where inhuman living conditions were created with the purpose of exterminating people, and many other atrocities which may be qualified as genocide.

Article 4 of the Convention clearly states that all those guilty of committing crimes of genocide are subject to punishment. It is very important that the Convention confirmed principle provision, declaring that the persons guilty of committing genocide crimes or any acts relating to it should be tried by a competent tribunal of the state, in the territory of which the acts were committed (Article VI). This provision lays down an indisputable obligation for the states, which signed the Convention to extradite definite criminals to the countries where they committed the crimes of genocide.

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* See: Human Rights. A Compilation of International Instruments. United Nations, New York, 1983, p. 56.

Let us note in this context that the USA evaded recognition of the Convention on the Prevention and Punishment of the Crime of Genocide for quite a time. Only in 1986, the US Senate ratified it. By doing so the United States confirmed its international committments as regards persecution of those, guilty in committing heinous crimes against humanity.

We are confident that all norms of international law, demanding the extradition of persons who committed crimes against humanity prove: even thinking that such criminals may be sheltered by any country is entirely alien to collective conscience of world community.

Declaration on Territorial Asylum adopted by the UN General Assembly on December 14, 1967, specifies that "the right to seek and enjoy asylum may not be invoked by any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime or a crime against humanity ..." *

Time was passing after the most terrible war in the history of mankind, but one of the main goals of peoples, who struggled against fascist reign of darkness had not yet been achieved. Ten and twenty years after the war, criminals still lived free and even prospered among people whom they wanted to annihilate. Such Western countries as the USA, Canada, Great Britain, the FRG contrary to all demands of international law have, in fact, offered harbor to Nazi criminals and helped them escape retribution.

* Resolution of the UN GA 2312 (XXII) of December, 14, 1967.

To justify nonextradition of war criminals the highly sophisticated arguments have been resorted to. Among them is the contention that statute of limitations should apply to war criminals, pretext of absence of extradition agreements between particular countries and even bombastic declarations that commitments to extradite war criminals having legal force according to international law do not exist at all.

World community had time and again to turn back to the matter of extradition and punishment of war criminals. On November 26, 1968 the UN General Assembly endorsed a Convention on Nonapplicability of Statutory Limitations to War Crimes and Crimes Against Humanity. Provisions of this international-legal act leave no space for ambiguity. No statutory limitations apply to war crimes and crimes against humanity (Article I). The Convention confirmed Nuremberg principles in the sense that war criminals and those who committed crimes against humanity unlike ordinary criminal offenders by virtue of immeasurably high danger of their crimes can not enjoy statute of limitations. That was how one of the false arguments, serving a wrong cause, collapsed.

In compliance with Article III of the Convention, the parties concerned committed to ensure extradition of culprits who had perpetrated the crimes covered by the provisions of the Convention.

Besides, the states — parties to the Convention agreed that in compliance with National Constitutions they would take all legislative and

other steps required to ensure that statutory limitations should not apply to the prosecution and punishment of war crimes and crimes against humanity.

The Soviet Union, honoring its international commitments declared through the Decree of the Presidium of the Supreme Soviet "On prosecution of persons guilty of crimes against peace, humanity and war crimes irrespective of the date of their commission" of March 4, 1965: In compliance with universally recognized principles of international law, formulated in the Charter of International Military Tribunal and the UN General Assembly Resolution, Nazi criminals guilty of most grievous crimes against peace, humanity and war crimes are subject to prosecution and punishment irrespective of the date of their commission.

Amendments were endorsed in the criminal codes of Bulgaria and Czechoslovakia which exlude application of statutory limitations to crimes against humanity; criminal legislation of Rumania, German Democratic Republic and some other countries also contain respective provisions.

Nonexistence of bilateral extradition agreements, another hackneyed argument in favor of killers, presents an effort to equate war crimes with ordinary criminal offence. True, the legislation of a number of countries (the United States, Canada, Great Britain and some other) allows to etxradite a criminal offender only to the countries-parties to respective bilateral agreements. But cases in question relate not to ordinary criminal offence, but to the criminals who infringed upon the very foun-

dations of civilized society, who are elbow deep in blood of hundreds and thousands of victims, whose being among us has been declared exclusively dangerous by the world community, criminals condemned by international law. It is really an extraordinary case, therefore international legal obligations have been recognized as legal basis for extraditing criminals. We have so far referred to only some international legal acts which clearly determine the obligation of states to cooperate in the sphere of persecution, punishment and extradition of war criminals. Their provisions leave no room for ambiguity and state that matters relating to extradition of those who committed crimes against humanity are regulated by the international law norms and cannot depend on the existence of bilateral agreements on extradition of ordinary criminal offenders.

In 1973, once again the UN had to emphasize the above provision. The 28th Session of the General Assembly adopted an unprecedented document which tore to shreds the arguments of those who harbored fugitive Nazis: "The principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.*

"Every state has the right to try its own nationals for war crimes or crimes against humanity" (principle 2).

"Persons against whom there is an evidence that they have committed war crimes and cri-

* Resolution of the UN GA 3074 (XXVIII) of December 3, 1973.

mes against humanity shall be subject to trial and, if found guilty, to punishment, as a general rule in the countries in which they committed those crimes. In that connection, states shall cooperate on questions of extraditing such persons" (principle 5).

Is there any vagueness in the formulation of this international commitment? An unbiassed man will hardly embark on interpreting these words, as implying the possibility to shield Nazi butchers.

After 1973, the UN also turns back time and again to the matter of fugitive fascist killers' punishment. In 1986, the UN Commission on Human Rights held its 42nd Session in Geneva. On the proposal of the Byelorussian SSR the Commission passed the resolution in which the stress was laid on the necessity of consistent truggle against any manifestations of racial or ethnic exclusiveness, intolerance, hatred, terror. The Commission once again appealed to all states to honor their international commitments and take each step required to detect and punish war criminals.

Fulfillment of international obligations has become a cornerstone of modern world community. Constitutions of many Western states contain the principle of unconditional fulfillment of international agreements. The US Constitution (Article VI) elevates international law norms to the level of the supreme law of the country and demands that they be observed like the Constitution proper and the US laws passed to execute it.

In Great Britain a doctrine is formally effective under which International Law is uncondi-

tionally recognized by courts. Article 25 of the FRG Fundamental Law specifies that general norms of International Law are a component of the Federation Law System. They prevail over laws and make up the basis for formulating the rights and responsibilities of citizens. Listing such examples can be continued, but, apparently, it is clear that law creates no obstacles to persecution and extradition of Nazi criminals. The USA, Canada, Great Britain and other Western countries assumed direct obligations in times of WWII as regards persecution of war criminals and confirmed those obligations after the war. The fundamental laws of these countries demand that international commitments be fulfilled unconditionally. The deeds of government must be always in line with the letter and spirit of the laws. The memory of 20 million Soviet people, over 6 million Poles, 1,7 million Yugoslavs, 663,000 French, 400,000 Americans, 375,000 Englishmen, 42,000 Canadians, all in all 50 million human lives — a terrible price the mankind paid for bloody adventure of fascism, demands that Nazi killers should not escape just retribution.

Nuremberg Principles. Weapon of Peoples.

Historic role of Nuremberg principles does not confine to conviction and punishment of Nazi ringleaders and concrete perpetrators of monstrous crimes. Thanks to Nuremberg, the mankind possesses now a powerful legal instrument in struggle for peace, against international brigandage and aggression, against acts of barba-

rism and inhumanity. It would be useful to recall in this context the opinion of R. H. Jackson, the US Chief Prosecutor at the Nuremberg Trial. He said then that the Trial reflected the endeavor of four great states, supported by other countries to realize International Law to counter the greatest menace of our times — war of aggression.

Unfortunately, today the world community faces rather frequently the attempts by reactionary circles of capitalist countries to encroach upon the principles of Nuremberg — unleash wars of aggression, embark on the policy of genocide, racial and national suppression.

World public, indignant at the crimes of the US military clique in Vietnam, set up in November, 1966 "The International Tribunal Against War Crimes Committed in Vietnam." The movement was initiated by Bertran Russell, a well-known philosopher from Great Britain. Prominent lawyers, political and public figures of different political convictions from many countries condemned the US aggression in Vietnam, taking as grounds the provisions of Nuremberg Law.

Nuremberg principles have also become guidelines for the International Commission on Investigation of Crimes Committed by Israel Against Lebanese and Palestinian peoples. (August — November, 1982). The Commission examined huge amount of documents, photographs, other material evidence, heard the testimonies of impartial witnesses. Commission members visited the areas where horrible crimes against civilian population were committed. As a result, criminal acts of the state of Israel and Israeli

zionist rulers were clearly qualified from legal point of view: they were indicted for crimes against peace and humanity, war crimes, unlawful refusal of self-determination to Palestinian people, against whom genocide was practised on wide scale.*

Determination of the world community to condemn the US aggression against Nicaragua was manifested in the decision of the UN International Court of Justice on the case of military and paramilitary actions against Nicaragua. The highest court of the UN system stated that the United States had violated a number of fundamental universally acknowledged orms of International Law and breached its own commitments as regards international agreements. The Court also demanded that the USA should compensate for the losses, Nicaragua incurred.

Recently the UN General Assembly qualified the activities of circles preparing to unleash a world nuclear conflict. In 1981 the USSR-sponsored Declaration on the Prevention of Nuclear Catastrophe was adopted, based on universally recognized effective Nuremberg norms regarding responsibility of states and personal responsibility of statesmen for committing crimes against peace, i. e. unleashing war. Nuremberg norms' provisions were attached particular significance with reference to our times when the use of nuclear weapons may turn the Earth

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* Indicted for Crimes. Materials of the International Commission on Investigation of Crimes Committed by Israel against Lebanese and Palestinian People. Aug.—Nov., 1983.

into a dead planet. Nazi crimes are merely kids' games when compared with what may happen nowadays. According to the Declaration the states and statesmen who resort first to the use of nuclear weapons will commit a crime against humanity unprecedented as to its gravity.

The statesmen who dare be the first to use nuclear weapons shall never be acquitted or pardoned.

These provisions were further developed in special Declaration on the Condemnation of Nuclear War adopted by the UN General Assembly on the initiative of the USSR on December 15, 1983. It resolutely condemned nuclear war as the most monstrous crime against peoples, as infringement upon the principal human right — the right to life.

Convening the International Tribunal Against the Weapons of Mass Destruction and First-Strike (1983) was in full harmony with these two UN Declarations.

It is symbolic that it took place in Nuremberg. Well-known experts on armaments including some formerly high-rank NATO leaders participated in its work. The Nuremberg Declaration condemned preparations for use, threat of use and use of nuclear and other types of mass destruction weapons, placing such weapons in the outer space and their testing, and qualified the above as crimes against humanity.

Life proves that the topicality of Nuremberg principles has not diminished at all. For forty years they have served the mankind as instruments helping punish Nazi criminals for atrocities unprecedented in the history of civiliza-

tion. They also help put a reliable barrier before those, who in pursuance of their misanthropic purposes would plunge the humanity into a catastrophe.

People, Be Vigilant!

When the point is raised about persecution of fugitive Nazi criminals, one can rather frequently come across such an opinion: "Punishment of Nazi criminals is no more a topical problem. Why stir up the past? Let us forget those people and the horrors they brought. Finally, not many of those elderly men are alive now."

True, human memory cannot keep everything forever, it's one of its properties. A man has enough will to forget unpleasant and unneeded details. But why millions of people still remember the nightmares of Nazi reign, why their anxiety communicates itself to new generations, why criminal designs of fascism were not wiped out of mankind's collective consciousness, why do people shudder with horror recollecting the times when human civilization was under the threat of annihilation?

The UN, being a universal international body, furnishes answers to the above questions. In 1984, on the eve of the 40th anniversary of peoples' victory over fascism, it laid additional stress on "profound respect, contemporary generations pay to the memory of victims of Nazism and fascism and peoples' struggle against them, to the United Nations Organization, called to rid the generations to come of war disasters and secure the confidence in basic

human rights, dignity and human values of a person".*

Talking of Nazi butchers, we must remember that still many of them live among us. It is worth mentioning once again that the USA only, according to A. Ryan, former head of War Criminals Division of the US Justice Department, sheltered not less than 10 thousand war criminals. It is presumed that these culprits who found refuge in the United States were involved in killing upwards of two million people.** According to Canadian press from 3 to 5 thousand war criminals live in Canada. Thousands of Hitlerite killers found shelter in Latin America with the help of US special services. According to West German magazine "Der Spiegel" at least 20 thousand absconding Nazi criminals settled in Latin American countries during 1948—1954.***

All those former butchers and murderers make up reserves of criminals' army which keeps designing and perpetrating foul crimes. Those who demand that the Nazis be punished are not at all guided by feelings of blind vengeance or bloodthirst. They believe that Nuremberg Law must be effective, must serve to protect peace, democracy, freedom and human rights.

The reality of international life, however, proves that fascism, an ideology alien to the above principles, is again on the rise in many countries. Neo-Nazi associations are active in over 60 countries, their membership exceeding

* Resolution of the UN GA of December 14, 1984.

** Ryan A. Quiet Neighbors. Prosecuting Nazi War Criminals in America. New York, London, 1984, p. 25.

*** Der Spiegel, 1985, No 17, p. 28.

one million. They consistently search ways to cooperate with sympathizers throughout the world and find them. Dangerous hotbeds of Nazism and neo-Nazism exist in the FRG. A considerable number of war criminals settled there after World War II. From May 1945 till December 31, 1982 proceedings were initiated in West Germany against 87,765 persons suspected in war crimes, but only a little over 7 percent of them were convicted.

Connivance at former Nazis and contempt of Nuremberg demands assume abnormal forms. In 1984, the federal authorities deleted the Association for Mutual Assistance of Former SS soldiers from the list of organizations hostile to the country's Constitution. Gala meetings of former SS-men and wide publicity serve fooling West German youth and vindicating Nazi butchers. Neo-Nazi associations grow like mushrooms after rain. According to the Department for the Protection of the Constitution the strength of legal neo-Nazi associations in 1983 was 21,830, and their number is growing.

Some countries calling themselves "democracies" allow the activities of political organizations, formed by Hitlerites' accomplices and serving as instruments of stupefying people cut off from their motherland, and deceiving public opinion in the countries where they function. Organization for Protection of Four Freedoms of Ukraine, Foreign Representation of Ukrainian Central Liberation Council in the USA, The League of Liberation of Ukraine in Canada, The Union of Ukrainians in Britain in Great Britain, Foreign Branches of the Or-

ganization of Ukrainian Nationalists in the FRG — all of them are abusing the name of Ukraine. They are the unions of old and young servitors of fascism having nothing in common with Ukraine. They are the dens of political terrorists who openly declare their ultimate goal — toppling the Soviet system. They are always ready to commit new crimes and call the West to intensify confrontation up to nuclear war against the USSR. True, peoples and governments of the countries where they built nests must be first to estimate the extent of danger these hotbeds of reaction may bring about. But encouraging behavior on the part of authorities in the USA, Canada, Great Britain, the FRG where those organizations are stationed, can hardly be considered harmonious with their international commitment to refrain from rendering direct or indirect assistance to terroristic activities or subversive or any other activities aimed at overthrowing regime of other participating state in compliance with the Final Act of the Conference on Security and Cooperation in Europe, they signed in Helsinki in 1975.*

The most striking of all is kind disposition of influential political circles in the West to Nazi villains, their sincere will to shield and vindicate them.

In 1983, after several decades of delays France succeeded in extraditing Nazi killer

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* The Text of the Final Act of the Conference on Security and Cooperation in Europe, see: International Legal Materials, 1975, v. XIV, No 5, p. 1294—1295.

Klaus Barbie from Bolivia. This fascist headed the Gestapo in Lyons from November 1943 till August 1944 and was responsible for numerous tortures, murders at will, mass deportations to death camps, etc. Twice, in 1952 and 1954, Barbie was tried by French court in absentia and sentenced to death.

For more than two years now formal investigation has been going on along with the public enquiry, which concluded that Barbie could have been extradited much earlier, but not all in France wanted that. In 1972 President Pompidou turned down the proposal to extradite him. The press reminded French people that approximately at the same time amnesty was granted to Paul Touvier, formerly the head of Lyons "French Gestapo."

Another example. In April, 1984 H. Kohl, the Chancellor of the FRG, demanded that Rudolf Hess should be released on the grounds that keeping Hitler's deputy in prison so long had turned into an "inhuman act". It can hardly be treated even as a white lie. It appears that humaneness must be displayed to the criminal who organized construction of death camps and extermination of millions of people. According to his statement in Nuremberg, he was happy to have carried out his duties of national socialist and true follower of the führer.

The US President R. Reagan also manifested his kindness to the Hitlerites by putting white lilies on the graves of SS-men in Bitburg (FRG) in 1985. Calling for establishing peace among nations, the President reconciled with Nazi criminals. Moreover, it was not a single instance of the kind, but a conscientiously pur-

sued policy. This only can explain, why R. Reagan received in the White House Ya. Stetsko in July, 1983. "Your struggle is our struggle. Your dreams are our dreams." These words were addressed by the President to former ringleader of bandits. We wonder whether the President knew what struggle and what dreams he talked about!

He shook hands with that Ya. Stetsko who swore allegiance to national-socialist Germany and promised to struggle for establishment of Nazi new order in Europe under Hitler's guidance.

Freedom-loving countries including the USA by joint effort broke the backbone of Hitlerism and buried its "new order." How could they in Washington celebrate the 40th anniversary of founding the Ukrainian Insurgent Army and SS Halychyna Division? War criminals of Ukrainian extraction participated in the festivities honoring the memory of those bandit gangs whose crimes had been depicted on previous pages.

No, the time has not yet come to write off to archives the documents of Nuremberg Trial. Nazi criminals are still alive. Impunity promotes new crimes against peace and humanity. Old and new war criminals present real threat to peace. The mankind, armed with Nuremberg principles must always remember the warning of Czechoslovakian antifascist J. Fučik, murdered by Nazi butchers: "People, be vigilant!"

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ВЛАДИМИР ИСААКОВИЧ ЕВИНТОВ,
ВИТАЛИЙ ВАСИЛЬЕВИЧ ЛЕОНЕНКО,
АЛЕКСАНДР АЛЕКСАНДРОВИЧ ШИШКО

ПРОЩЕНИЯ НЕ БУДЕТ!

(На английском языке)

Перевод на английский язык
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